

TUI Guide for New Teachers

Welcome to the teaching profession. The Teachers' Union of Ireland (TUI) wishes you the very best in what we are sure will be a long, eventful and fulfilling career. The work you are doing is of vital importance for the development and nourishment of a vibrant, caring and creative society. In an increasingly complex world, you will provide the instruction, guidance and inspiration that will motivate and enable our students, of whatever age, to become active, inquiring and committed citizens.

The Teachers' Union of Ireland

The Teachers' Union of Ireland is committed to a comprehensive system of high quality public education at all levels that is free, co-educational, non denominational and informed by principles of equity and equality.

As a member of the TUI, you will become part of a community of more than 19,000 professional educators. You will enjoy the assistance, support and solidarity of your colleagues in the TUI. You will also have the opportunity, as an active member of the Union, directly to influence Union policy and, through the TUI, to influence national educational policy. We want you to join the TUI not simply to be a member but to be an active member, to have your say, to be heard and to shape both your Union and your workplace.

TUI - A Democratic Union

The TUI is a trade union for teachers and lecturers, dedicated to the care of members and the development of the education profession. The TUI is organised into 59 branches. On joining the TUI you will become a member of your local branch. There are separate branches to represent members employed in Education and Training Boards, Institutes of Technology, Technological Universities, Community and Comprehensive and other Post- Primary schools.

As a member you can express your views at school, branch and national levels, as appropriate. Please attend your workplace and branch meetings, post on the Union's Facebook page, use the TUI app, email or phone your representatives. Be heard.

School/Workplace Representatives

Each school/workplace annually elects a TUI representative and a Workplace Committee. The representative attends branch meetings and reports back to the membership in the school/workplace. The school/workplace representative also takes responsibility for distributing information and documentation from TUI Head Office.

Branches

Each branch holds at least four general meetings per year. Notice of meetings will be circulated, usually through school/workplace representatives. All members of a branch are encouraged to attend branch meetings. You will be very welcome and will be encouraged to get involved. At the Annual General

Meeting, which takes place in October or November, the branch elects a Chairperson, a Secretary, a Treasurer, an Equality Officer and any other officers that the branch may require.

Branch Meetings

At branch meetings members have the opportunity to discuss issues relevant to their employment and to education nationally. The Area Representative to the Executive Committee is normally present at branch meetings and represents the views of the branch to the Executive Committee.

Area Representatives and Executive Committee

The branches of the Union are organised into 19 Areas and members of the branches in each area elect a representative to sit on the TUI's Executive Committee. The Executive Committee manages the affairs of the Union between meetings of Congress. The Executive Committee is chaired by the President, who is elected through a ballot of the entire membership of the TUI. The Vice-President is similarly elected by the entire membership. The immediate Past President is also a member of the Executive Committee.

Officials

The work of the Union is carried out on a daily basis by full-time trade union officials, under the direction of the General Secretary. Full-time officials are assigned to Areas and Branches to provide advice, assistance and representation.

Annual Congress

The governing body of the Teachers' Union of Ireland is Annual Congress. Congress is a conference that takes place after Easter each year and is attended by representatives of each branch. Congress votes on motions submitted by branches and its decisions direct the Union.

Affiliations

The TUI is affiliated to the Irish Congress of Trade Unions (ICTU), the European Trade Union Committee for Education (ETUCE) and Education International (EI).



- Treoir do Mhúinteoirí Nua

GUIDE TO TEACHING: As you begin your career, the TUI would like to offer some practical advice based on the experience of our members.

REGISTRATION WITH THE TEACHING COUNCIL

Since January 2014, teachers must be registered with the Teaching Council in order to be employed as a teacher and to be paid from State funds. Under the provisions of Section 33(1) of the Teaching Council Act, 2001, registration is valid for 12 months from the date of registration. To remain on the Register, you must renew your registration before the current period of registration expires. A reminder notice and renewal form will be sent to all registered teachers at their last notified correspondence address, approximately four weeks in advance of their renewal date. If registration is not renewed by the expiry date, a Final Notice will be issued by registered post. If registration is not renewed within thirty days of the date on the Final Notice, the teacher's name will be removed automatically from the register.

WHO EXACTLY IS MY EMPLOYER?

If you work in an ETB:

- ▶ your employer is an Education and Training Board (ETB)
- ▶ your appointment is to the "scheme" which means that you may be assigned to any Vocational School or Community College within the particular ETB and may, in subsequent years, be transferred within the scheme (subject to the terms of the particular transfer agreement that is in place at the time)

- ▶ you are paid through the ETB

if you work in a Community and Comprehensive or a Voluntary Secondary School:

- ▶ your employer is the Board of Management of your school
- ▶ Community and Comprehensive (C&C) schools and Voluntary Secondary School are stand-alone employers
- ▶ teachers in C&C, Voluntary Secondary and Post-Primary schools are paid directly by the Department of Education.

YOUR CONTRACT

Once appointed to any employment a contract is established, be it written or implied, which is enforceable. If you have not been offered a written contract, you should ask the TUI representative to help you get one. The type of contract you hold depends on the nature of the appointment and the source of the hours that you are assigned.

Your contract should:

- ▶ Set out the nature of your employment e.g. Permanent or Fixed-Term
- ▶ Set the duration of your employment i.e. Permanent/Indefinite or Fixed-Term
- ▶ Clarify the number of hours per week you are contracted to teach
- ▶ Give the reason for the position to which you were appointed e.g. increased allocation to the school, covering for a teacher on approved leave (name of the teacher) etc.

- ▶ Tell you whether you will be paid by the Department of Education, the school or the ETB

You should ensure you receive clear written information on the terms and conditions of your job, either in the form of a letter of appointment, a written contract, or a written statement. Under statute, you are entitled to this information and it is important that you have it so that you fully understand the nature of your employment.

PERMANENT WHOLE-TIME

Appointment to permanent whole-time positions follows a national advertisement of the position and a formal selection process. Appointment on a permanent whole-time basis used to be the norm and it remains open to employers to make permanent appointments ab initio. The Department of Education issued letters to the Management Bodies to this effect.

FIXED-TERM

Appointment to a fixed-term position follows national advertisement and a formal selection process (as for Permanent Whole-Time). Teaching positions tend to be filled on a fixed-term basis, for one year in the first instance.

To be engaged in year 2 (if the post/hours remain available) you will have to undergo a further selection process and interview. The award of a Contract of Indefinite Duration (CID) is explained in the following paragraph.



Make sure you retain all documentation related to your appointment and your employment, such as the job advertisement, letter of appointment, payslips, timetable, contracts and any other correspondence received from the employer which relates to the position. In addition, you should record all your hours worked during the school year, including any hours worked that are in addition to your contracted hours.

CONTRACT OF INDEFINITE DURATION (CID)

As a result of the TUI's campaign to secure permanency for members sooner than the law provides, a key concession was secured for teachers, whereby the qualifying period for a Contract of Indefinite Duration (CID) was reduced from four years to two years, from the start of the school year 2015/16.

This means a teacher will qualify for a Contract of Indefinite Duration (CID) after a period of continuous employment in excess of two years - i.e. upon commencement of a third year of continuous employment, subject to certain conditions. This is significantly better than the statutory provision (under fixed-term worker legislation, the qualifying period is four years).

A CID is a permanent contract. It may be full-time/whole-time i.e. 22 hours or it may be part-time i.e. for fewer than 22 hours. If a teacher is teaching 16 hours fixed-term in the 'qualifying year' i.e. year 2, then s/he will receive a CID for 16 hours in year 3. Further details about CIDs can be found elsewhere in this booklet.

FIXED/SPECIFIC PURPOSE

If you are employed only to cover for the approved leave of a teacher (e.g. a teacher on maternity leave or job share) you will be contracted on a fixed/specific purpose basis. When the teacher returns from leave the hours must return to the teacher and your contract ends.

Please ask your TUI Workplace Representative, your Area Representative or contact TUI Head Office for advice before you sign anything.

WHAT ARE THE MAXIMUM CLASS CONTACT HOURS FOR A TEACHER?

A full-time teacher has a weekly maximum class contact time of 21 hours 20 minutes if he/she has any involvement in Junior Cycle. If he/she has no involvement in Junior Cycle,

Entitlement to a CID

Unfortunately, in recent years, it had become the norm that newly qualified teachers (NQTs) begin their teaching careers in temporary, part-time positions, employed on fragments of jobs on an insecure basis.



The TUI prioritised this issue and campaigned vigorously to highlight the casualisation of the teaching profession with the aim of ensuring that permanent and whole-time jobs become available to new teachers to protect both the viability and the professionalism of the career.

As a direct result of TUI's campaign, an expert group was established under the Haddington Road Agreement (HRA). The recommendations of the expert group are set out in Circular Letter 24/2015 and a teacher now qualifies for a Contract of Indefinite Duration (CID) after a period of continuous employment in excess of two years.

Hours covering for a teacher:

- ▶ on career break
- ▶ on secondment
- ▶ assigned to a Home School Community Liaison (HSCL) position
- ▶ assigned to the National Behaviour Support Service (NBSS)

These are now counted towards a CID and the hours of the CID will be the hours worked in the full school year prior to the issuing of the CID (i.e. the qualifying year), regardless of the source of the hours.

a maximum class contact time of 22 hours applies. As a result of a TUI Directive, any teacher appointed to an Assistant Principal 1 position and who has any involvement in Junior Cycle has a maximum class contact of 17 hours and 20 minutes. If he/she has no involvement in Junior Cycle, a maximum class contact time of 18 hours applies.

I'M PART-TIME. WHAT DOES THAT MEAN?

A part-time teacher is any teacher who is contracted for less than twenty two (22) hours per week. If you commence employment on or before the first Monday following the mid-term break in October and you have been appointed following a formal selection process, you are entitled to be paid on a pro-rata basis. This means that you will be paid the appropriate proportion of the

annual salary you would be on if you were full-time and you will be paid up to the 31 August. This type of part-time employment has traditionally been called regular part-time work (RPT) or pro-rata part time (PRPT).

PAYMENT FOR PART-TIME WORK

To calculate the pay you will receive divide the number of hours for which you are employed by 22 and multiply by the point of the salary scale that you are on. For example, a whole-time teacher on point

Part time salary = Number of Hours contracted per week / 22 x Your point on scale

one of the salary scale for post-2011 entrants earns €37,692*. Therefore, if you are contracted for 16 hours per week:

Portion of salary = 16/22
Your part-time salary = 16/22 X
€37,692 = €27,412

WHAT IS CASUAL PART-TIME?

Some teachers are not contracted to work for an entire academic year. If a teacher is contracted after the first Monday following the October mid-term break in a given year or has an end date that occurs before the end of the academic year written into their contract, they are considered casual part-time teachers. Regular substitute teachers would also fall into this category. Such teachers are paid per hour worked rather than on a pro-rata basis.

Assuming that you are employed in an area in which you are qualified, you will receive the qualified casual hourly rate of pay. For each hour worked you will accumulate holiday pay which will be paid in each holiday period i.e. Christmas, Easter and Summer. After 150 hours at the casual rate in one school year, you will be paid a personal non-casual hourly rate based on a pro-rata fraction of a whole-time salary for each hour over 150.

To calculate this hourly rate of pay (any hour in excess of 150), divide the point on the salary scale that you would be on, were you whole-time, by 735 (the annual teaching hours of a full-time teacher in a school year): For example, a teacher who would be on point one of the post January 2011 salary

Personal non-casual hourly
rate = Your point on the
scale/735

if they were whole-time, would have a personal qualified rate as follows:

Personal non-casual hourly
rate = €37,692/735 = €51.28

If you are employed in an area in which you are not considered sufficiently qualified, you will receive the unqualified hourly rate of pay and also accumulate holiday pay.

HOW MANY TEACHING JOBS IS A SCHOOL ENTITLED TO FILL?

The number of teachers employed in a school depends on the number of students attending that school. An additional teaching allocation to take account of 'professional time' for teachers involved in the delivery of the Junior Cycle was introduced in September 2017. A specific allocation is also provided in respect of students with special educational needs.

The pupil-teacher ratio is 19:1. Therefore, for every 19 students, one permanent full-time teaching position is allocated to a school. For example, a school of 380 students receives an allocation of 20 whole-time teaching posts funded by the Department of Education. Schools also get an additional allocation for Principal, Deputy Principal and Guidance Counsellors. Many schools also receive an allocation of 'concessionary' teaching hours under a variety of programmes. These extra hours are granted depending on a school's individual needs. Some schools may also pay for teaching hours directly from their own funds.

HOW DO I GET A PERMANENT JOB?

Employers may make permanent appointments ab initio. This applies to

established schools and 'greenfield' schools (i.e. new schools). In recent times, most teachers become permanent by qualifying for a Contract of Indefinite Duration (CID) after two years.

The two-year qualifying period was secured for teachers following recommendations issued by an expert group established under the Haddington Road Agreement. It does not apply to other grades in the public service. Please note that under the provisions of the Fixed-Term Work Act, 2003, the 'qualifying' period for a CID, that is provided for in law, is four years.

OBJECTIVE GROUNDS

In the 'qualifying year' (i.e. usually year two) at least some of the hours you hold must be free from an 'objective ground' for not awarding a CID. 'Objective grounds' exist if the hours are of a legitimate fixed-purpose nature (i.e. covering for a teacher on maternity leave, sick leave or job share) or if there is a legitimate reason to believe that the post will not be viable in the employment (school/scheme) for at least a full school year. The contract you are offered must include a statement detailing the specific objective ground(s), if any.

Please note, if a teacher holds even one class that is free from an objective ground in her/his qualifying year, s/he will be in a position to claim a CID for all hours worked in the qualifying year.

POST AUTOMATICALLY ADVERTISED AFTER YEAR 1

Every teacher on his/her fixed-term contract with an employer will have that contract terminated at the end of year one. The position will automatically be re-advertised and a new recruitment process undertaken. Therefore, the teacher will need to apply and interview for the position at the end of year one. If appointed for a second year (year 2), this is generally the 'qualifying year.'

IF I GET A CID FOR LESS THAN WHOLE-TIME HOURS, HOW DO I GET MORE HOURS?

Firstly, there is an agreement that teachers who have a CID for 18 hours or more can request to move to 22 hours and that this will be honoured by the employer. To avail of this, teachers must submit a H22 form, available from TUI. If you have a CID for less than 18 hours, Circular Letter 59/16 (ETB and C&C sector) and Circular 49/2017 (Voluntary Secondary sector) compels employers to assign available hours, in the first instance, to teachers on part-time CIDs who wish to move to whole-time work.

If you are on part-time hours, please ensure that you write to your principal each year requesting more hours and advise your principal of the subjects/areas in which you are qualified and/or willing to teach. A template letter can be provided to you by the TUI.

Where a qualified teacher holds a part-time CID and is working additional hours a separate fixed-term contract will be issued for those hours. The hours of this separate contract will be added to the CID if the teacher holds them for a continuous period of employment in excess of one year, if the hours continue to be viable, are available under the allocation, and are unrelated to maternity leave, sick leave or job share.

WHAT IF I AM REFUSED A CID OR UNHAPPY WITH THE TERMS OF THE CID?

If you are employed on a fixed term contract and believe you fall within the terms of Circulars 0024/2015 and are unhappy with the action taken by your employer in terms of the award of a CID, then you may appeal against the action of your employer.

If you have been refused a CID, you must make an appeal within 4 working weeks of the date you are notified of the decision by the Board of Management/ETB to refuse a CID.

If you have been awarded a CID but are not satisfied with the terms of the contract, you must make an appeal within 4 working weeks of the date you are notified of the award and terms of the CID.

Please contact the TUI and we will assist you in your endeavours to move to a whole-time permanent/CID contract.

WHEN WILL I BE PAID?

You will be paid at least once a month if you are employed by an ETB. If you are employed by a Community or Comprehensive school or a Voluntary Secondary school, you will be paid fortnightly by the Department of Education.

The TUI is campaigning actively to achieve pay equality for new entrant teachers.

CODES OF PROFESSIONAL CONDUCT

The Teaching Council has published a Code of Professional Conduct for Teachers. The Code sets out clearly what is expected of teachers in their professional role. It sets out the standards of professional knowledge, skill, competence and conduct which are expected of registered teachers. There are many elements of the Code which reflects the complexity and variety of teaching and cover areas such as communication and relationships, equality and inclusion, compliance with national and school policies, professional development and pupil/student welfare. The standards are underpinned by four core values - respect, care, integrity and trust.

New teachers should familiarise themselves with these standards.

TEACHING COUNCIL - PART 5

One of the functions of the Teaching Council is to investigate complaints about registered teachers. The Minister for Education formally commenced Part 5 of the Teaching Council Acts 2001 - 2015 on 25 July 2016 which allows the Council to receive complaints about registered teachers, hold investigations and disciplinary hearings,

where deemed appropriate. The first question an investigation committee will ask is, 'Have all local procedures been exhausted?'. If the answer is in the negative, the complaint should be referred back to the school/centre.

If you find that you are the subject of a Teaching Council complaint you should contact your TUI Area Representative or the relevant TUI official before you do anything in relation to the complaint.

The TUI has been directly involved in the development of the nationally agreed complaints procedures that should be used at school/centre level and continues to participate in the fora that oversee the correct implementation of these agreed procedures.

DROICHEAD

NQTs must participate in Droichead - a school based non-evaluative induction.

I have a problem in school, what should I do? Some teachers will experience professional difficulties at some point in their career. In the first instance, it is important to approach your Principal informally and attempt to resolve the difficulty. In the event that this course of action does not resolve the issue, there are nationally agreed Grievance Procedures that your branch can assist you with.

If in doubt about the course of action to take, contact your branch or your Area Representative for advice.

EMPLOYEE ASSISTANCE AND WELLBEING

The DE provides an Employee Assistance and Wellbeing Programme for teachers. This includes a free confidential service accessible by means of a free phone telephone helpline available 24 hours a day, 365 days a year, providing counselling on a range of personal health and wellbeing issues given by qualified clinicians. Up to 6 face to-face counselling sessions are available to provide supportive and solution-focused care based on an individual's clinical needs. The telephone service also provides specialist information, support and advice in relation to family, financial, legal, work related and consumer information services as well as providing management support.

The service is accessible through the Freephone Helpline at 1800 411 057 and is available 24 hours a day, 365 days a year. Employees can also text 'Hi' to 087 369 0010 to avail of EAS support on SMS and WhatsApp.

I HAVE OTHER QUESTIONS, WHOM SHOULD I CONTACT?

The Teachers' Union of Ireland is more than just a trade union. We are an organisation of highly qualified educators with vast experience in the teaching profession. Each of the Head Office Industrial Relations Officials has significant experience in education.

As well as dealing with industrial relations matters, the Union also represents members' views on individual subjects, on general curricular issues and on specific issues such as Junior Cycle reform.

The TUI is founded on a network of branches. If a teacher needs advice or information on any issue she/he will find attendance at branch meetings invaluable.

Membership of the Union allows you to meet colleague teachers, through branch meetings and otherwise, to discuss the full range of professional issues and avail of assistance in areas as diverse as:

- ▶ Planning
- ▶ Classroom Management
- ▶ Education Policy
- ▶ Continuing Professional Development
- ▶ The direction of Education in Ireland

Important! Make sure to retain these documents



The TUI advises that you retain the following documents for your personal records and to assist the TUI in the event that you require advice or representation:

- ▶ Advertisements for any/all jobs in which you have been employed
- ▶ Letter of Offer/Appointment
- ▶ Contract(s) and Cover Letter(s) for all jobs in which you have been employed
- ▶ All Payslips
- ▶ Your Annual Timetables
- ▶ All Teaching Council Records/Documentation
- ▶ Attendance certificates for all CPD, including Teaching Council Induction
- ▶ P60/45

HOW DO I CONTACT TUI?

Members can make contact with their workplace Representative/s, the Officers of their branch or their Area Representative in the first instance. The contact details of each Area Representative are published annually in the TUI diary which every member receives. If you are unsure who your representative is, please contact TUI Head Office and they will provide you with the relevant details.

THE TUI APP

An app for members is available to download from iOS and Android stores

using the search word 'TUI members: The App enables members to update their details and to access important documents and communications.

CONTACT DETAILS

If in doubt on any issue, as a member of the TUI you can avail of expert assistance by contacting us:

- ▶ Phone: 01 492 2588
- ▶ Email: tui@tui.ie
- ▶ Website: www.tui.ie
- ▶ Facebook: Teachers' Union of Ireland
- ▶ Twitter: @TUIunion

PROTECT YOUR CAREER JOIN THE TUI TODAY

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