

## Ballot on Public Service Agreement 2024-2026

### A Word From The President

#### Introduction

Following the conclusion of talks between the ICTU's Public Services Committee and the Government, a proposal for a new public service agreement was published on Friday, 26th January. The proposal includes pay increases valued at a minimum 9.25% over 2.5 years, with provisions that, in each year, will deliver more for lower paid workers. Full details of the measures are included in this bulletin.

In addition, the proposal makes available a further 3% for local bargaining – 1% payable during the lifetime of the agreement with the other 2% "to be addressed in any successor pay agreement". In respect of this 3%, certain sector-specific productivity may be required.

#### Meeting of TUI's Executive Committee

The Executive Committee of the TUI met on Friday, 9th February to discuss the proposed agreement, having regard to feedback from members in schools, centres, technological universities, IoTs and other workplaces.

#### Cost-of-living crisis

The Executive Committee is acutely aware of the implications for members of the various crises in relation to the cost of living, including the cost and availability of accommodation, the cost and availability of childcare and high energy prices. These issues have a severe impact on your take-home pay.



TUI PRESIDENT, DAVID WATERS

#### Differential impacts of proposal

The Executive Committee also fully recognises that the proposed agreement, if accepted, will have differential impacts depending on the individual circumstances of members and the varying productivity measures that may apply to the sectors in which they work.

#### Next step - ballot

We are now conducting a national ballot of members on the proposed agreement. In view of the differential impacts, the Executive Committee has decided to issue this ballot (Ballot number 1) to you the members, without a recommendation as to how you should vote.

In line with long-standing practice, this TUI News Ballot Special sets out the implications of

both a "Yes" vote and a "No" vote and the associated rationale. It is for you to decide, based on your own circumstances and considered view, whether to vote "Yes" to accept the proposal or "No" to reject it.

#### Second ballot

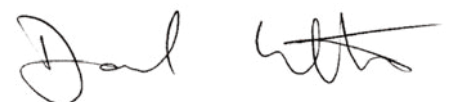
We are also conducting a parallel ballot (Ballot number 2) for industrial action in the event that the proposed agreement is rejected by members.

Regardless of how you vote in Ballot number 1, the Executive Committee is recommending a "Yes" vote in Ballot number 2.

This ballot seeks a mandate for a campaign encompassing a range of industrial action, (e.g. work to rule, non-cooperation, withdrawal from various initiatives) up to and including strike action. There is a strategic need for this mandate. The mandate will of course be activated only if the Executive Committee is satisfied that it will not harm, and can advance, the interests of members. In this context, the Executive Committee, in deciding tactics, will take full account of the overall vote of the Public Service unions on the proposed agreement. The implications both of "Yes" and "No" votes in this ballot (ballot number 2) are also explored further in this TUI News Ballot Special.

#### Every vote counts

Make sure that your voice is heard – complete both ballot papers and return to the auditors (Deloitte) ahead of the closing date.



**Background**

The proposed agreement was published on Friday 26th January 2024, following two months of challenging negotiations between the Public Services Committee of ICTU and Government representatives.

Going into the negotiations the union side had a clear set of priorities, agreed by the Public Services Committee of ICTU on 27th September 2023: namely, that any new agreement would:

- address the rising cost of living, especially for low-to middle-earners
- contain provisions to allow for the normalisation of industrial relations
- contain a measure to stabilise the agreement through the inclusion of a local bargaining clause
- include consideration of proposals for future proofing public services.

Talks adjourned on 10th January after the union side rejected a Government offer totalling 8.5%. Following resumed talks, Union negotiators stated that the proposed agreement reached on Friday 26th January represents the “maximum achievable through negotiation at this moment.”

The pay terms of the new agreement are valued at 9.25% (uncompounded) over 30 months (2.5 years), commencing on 1st January 2024.

The improvements in the pay adjustments due in 2024 – valued at a minimum of 4.25% – would mean that public service workers would receive more money in the first year than envisaged in the initial pay offer that was rejected by the union negotiators on 10th January.

**What are you being asked?**

On Friday, 9th February, the TUI Executive Committee decided to conduct two parallel ballots of members, as follows:

**BALLOT 1**

You are being asked if you accept the Public Service Agreement 2024-2026.

**BALLOT 2**

You are being asked, in the event that TUI members vote to reject the Public Service Agreement 2024-2026, if you are willing to engage in a campaign encompassing a range of industrial action (e.g. work to rule, non-cooperation, withdrawal from various initiatives) up to and including strike action, as directed by the Executive Committee. .

**What is the TUI Executive Committee recommending?**

**BALLOT 1**

The TUI Executive Committee decided not to make a recommendation in relation to this ballot.

**BALLOT 2**

The TUI Executive Committee recommends that you vote ‘YES’ to provide a mandate for a campaign of industrial action in the event that members reject the proposed Public Service Agreement 2024-2026.

**Why has the TUI Executive Committee decided not to make a recommendation on the proposed Public Service Agreement 2024-2026 (Ballot 1)?**

The Executive Committee noted that implications for members of the proposed agreement vary widely, depending on sector, grade and career stage. In particular, different grades could be very differently affected by productivity that may be sought under the local bargaining provision. It therefore decided that members will be provided in this bulletin with comprehensive information on the agreement so that they can make a considered decision in the context of their particular grade and individual circumstances.

**Why is the TUI Executive Committee recommending that you vote ‘YES’ to provide a mandate for industrial action should the proposal be rejected by TUI’s membership (Ballot 2)?**

Should the proposed agreement be rejected by the TUI’s membership, the Executive Committee will need to formulate an alternative strategy to seek an improved proposal. Securing a mandate for industrial action from the Union’s membership will provide the Executive Committee with more authority and options in formulating and prosecuting that alternative strategy.

**When will the ballot take place?**

Ballot papers will be posted to members on **Monday, 19th February 2024.**

Completed ballot papers must be returned - in the envelopes provided - to the Union’s auditors, Deloitte, by **5 p.m on Wednesday, 13th March, 2024.**

(To ensure that completed ballots reach Deloitte by the closing date, members should post their ballots early owing to reported delays in the postal service e.g. try to post all ballots by **Friday 8th March.**)

**What does the proposal provide for in terms of pay?**

The following pay increases will apply over the period of the proposed agreement:

**2024**

- A general round increase in annualised basic salary\* for all public servants of 2.25% or €1,125, whichever is greater, from 1st January 2024
- A general round increase in annualised basic salary for all public servants of 1% on 1st June 2024
- A general round increase in annualised basic salary for all public servants of 1% or €500, whichever is greater, on 1st October 2024

**2025**

- A general round increase in annualised basic salary for all public servants of 2% or €1,000, whichever is greater, on 1st March 2025
- A general round increase in annualised basic salary for all public servants of 1% on 1st August 2025
- The first instalment of local bargaining equivalent to 1% of the basic pay cost on 1st September 2025

**2026**

- A general round increase in annualised basic salary for all public servants of 1% or €500, whichever is greater, on 1st February 2026
- A general round increase in annualised basic salary for all public servants of 1% on 1st June 2026.

\*Annualised basic salary includes allowances in the nature of pay

### What is local bargaining?

Under Section 4.2.1. of the proposed agreement, trade unions “may negotiate additional changes in rates of pay and/or conditions of employment up to a maximum of 3% of the basic pay cost, inclusive of allowances in the nature of pay, of the particular grade, group or category of employee or bargaining unit. This may include proposals involving changes in structures, work practices or other conditions of service.”

Detailed arrangements for local bargaining units will be agreed by the parties by 30 June 2024 and local negotiations within sectors concerning proposals will take place between July 2024 and June 2025.

Where agreement cannot be reached and local engagement has been fully exhausted, the matters of disagreement will proceed to conciliation at the Workplace Relations Commission and onward as necessary to the Labour Court (or equivalent Conciliation and Arbitration mechanisms).

Implementation of adjustments will be on a phased basis. The first instalment, equivalent to 1% of the basic pay cost, will be implemented on 1 September 2025 (see above) and the balance will fall to be addressed in any successor pay agreement.

### How would members receive the 2.25% increase (or €1,125 added to annual salary, whichever is larger) backdated to 1st January 2024 if the agreement is accepted?

The 2.25% would be applied to each point of scale and to pensionable allowances, with retrospective effect to 1st January 2024. The back payment due would be paid as a ‘lump sum’ after ratification of the agreement.

### Do the pay increases also apply to allowances?

Yes, all the general round increases will apply to pensionable allowances (“allowances in the nature of pay” – see above).

### If the proposed agreement is rejected by the members of TUI but is accepted by the aggregate weighted vote of affiliate unions of the ICTU Public Services Committee, what will happen?

It is longstanding TUI policy that it will not be bound by an aggregate vote of affiliated unions of the ICTU Public Services Committee in matters that affect terms and conditions. Therefore, if the agreement is rejected in the ballot of members, TUI will, as it has done before, make a sovereign decision in respect of whether or not to consider itself encompassed by the agreement if it is accepted by an aggregate vote of affiliated unions of the ICTU Public Services Committee.

### If TUI members reject the proposed agreement, what status do previous agreements have?

The members of the TUI have fully abided by and continue to discharge the commitments entered into under the terms of previous agreements. They have not repudiated those agreements and have agreed to be encompassed by them. Therefore, it is the Union’s clear position that the protections and pay adjustments provided for in previous agreements should continue to apply to TUI members.

### ‘Public Service Reform Agenda.’

The proposed agreement commits the parties to working closely to achieve the goal of delivering better public services and states that “This will require co-operation and engagement with all elements of the Government’s Public Service Reform agenda” as set out in Section 2 (Public Service Transformation) and in the Appendix (Key Elements of the Government’s Reform Agenda).

The following two paragraphs from the Appendix relate to education grades:

**Education Sector** - Department of Education Statements of Strategy, related annual Action Plans for Education and underpinning strategies and developments; Senior Cycle and Junior Cycle Reform within Schools; Curricular and assessment reform including Primary curriculum; Literacy and Numeracy and Digital Literacy Strategy (2024-2033); Digital Strategy for Schools to 2027; Gaeltacht Education Strategy; Science,

Technology, Engineering and Mathematics (STEM) Education Policy Statement 2017-2026; Modern Foreign Language Strategy “Languages Connect” 2017-2026; Cinedltas Implementation Plan 2023-2027; Strategy on Education for Sustainable Development to 2030: Engagement on the outcome of the Policy Advice on Inclusive Education; engagement on the review of the EPSEN act and the SNA Workforce development plan including review of the SNA contract.

### Higher and Further Education Sector:

Funding the Future – the funding and reform framework for higher education; Future FET: Transforming Learning, the FET Strategy 2020-2024; Action Plan for Apprenticeship 2021-2025; the Public Service Apprenticeship Plan, the National Skills Strategy 2025 and the recommendations of the OECD Ireland Skills Strategy Report; the National Strategy for Higher Education to 2030; Adult Literacy for Life Strategy; Impact 2030, the national Research and Innovation Strategy; the National Access Plan 2022-2028; and ongoing reform, modernisation and transformation initiatives including in relation to governance and the implementation of the Higher Education Authority Act 2022, the further development of the technological university sector, the evolution of integrated FET Colleges of the Future and the policy platform for a more unified tertiary I 8 system.

### How would the proposed agreement affect public service pensioners?

Under public service agreements, increases in public service pay scales are generally reflected in public service pensions that are linked to pay scales. The Department of Public Expenditure, NDP Delivery and Reform has confirmed, in writing, to the Public Services Committee of the ICTU that, if the proposed agreement is accepted, this practice will apply in the usual way to the general round pay increases provided for in the agreement.

The position in relation to increases that may apply under the 3% local bargaining provision remains to be determined through the local sectoral negotiations (scheduled to take place in the period between July 2024 and June 2025).

Full text of Public Service Agreement 2024-2026 is available on the TUI website – [www.tui.ie](http://www.tui.ie)

## Reasons to accept the proposed agreement by voting 'YES'

- The proposal provides for significant increases in pay, with an initial 2.25% backdated to 1st January 2024 and short intervals between subsequent increases. With compounding, the effective increases will be significantly ahead of the nominal figure of 9.25%.
- There is an appropriate and necessary focus in the proposal on the lower paid. The proposal is progressive in this regard.
- In the event of unforeseen difficulties arising during the timespan of the proposed agreement – a significant rise in the rate of inflation, for example – the review clause can be invoked by the union side (as has previously been done)
- The local bargaining clause can and will be used by the Union to ensure maximum benefit for members.
- There is no question of binding members into acceptance of a successor agreement or of giving productivity unconditionally. The Union will not allow Government to have all of its “ask” for one third (the 1% payable in 2025) of the “give”.
- Rejection of the agreement by TUI, if followed by repudiation of the agreement, would cause members to lose out on the proposed pay increases. Repudiation could also result in removal of key protections (such as that against compulsory redundancy) that apply to members of public service unions “covered” by the agreement.
- Realistically, if the proposal is accepted by a majority of public service unions, it will be very difficult for any union acting alone to secure any changes to its terms.
- The TUI can and will pursue matters not covered by the agreement through normal industrial relations processes, including industrial action where necessary and appropriate.
- Many claims lodged by the Union on behalf of members in particular grades, groups or categories are unresolved and have been impeded by official side delay and intransigence. The local bargaining clause in the proposed agreement provides a funded mechanism which would allow the TUI to negotiate beneficial outcomes for those grades/members.
- Members are already fully engaged with most elements of the government’s Public Service Reform Agenda and the Union has a strong presence in existing consultative structures and industrial relation fora where implementation of the agenda is under consideration. By contrast with Building Momentum, the proposed agreement places these structures and fora front and centre. It increases focus and reliance on collective bargaining.
- With or without a national agreement, the digital transition - and, in particular, the advent of generative Artificial Intelligence – represents a challenge to all. The proposed agreement very usefully provides for “early consultation and engagement close to the level of impact” regarding the use of technology. This is in line with the TUI’s policy and demands.
- Section 2.4.3 of the proposed agreement reinforces and expands on existing commitments in relation to Apprenticeships and is in line with the strategy advocated by the TUI.

## Reasons to reject the proposed agreement by voting 'NO'

- The proposal does not and will not fully compensate for the effects of the increased cost of living of recent years. In effect, it bakes in losses in the purchasing power of members.
- In particular, the proposal does not do enough to protect the most financially vulnerable in TUI’s membership from the damaging effects of the cost-of-living crisis - those who by definition and in practical terms are most impacted by inflation and the erosion of purchasing power.
- The proposed agreement casually assumes that the rate of inflation will fall and will remain low over the coming 30 months and that the economy will continue to grow. It takes no account of external factors, which, as we have seen, can have a dramatic inflationary effect.
- The proposal does not resolve key, longstanding issues such as the precarious and part-time employment status of many members.
- The proposal is entirely blind to a number of the factors that impact most severely on members’ and households’ after-tax income. There is no mention of the prohibitive and increasing cost of rents and mortgages, travel and insurance, health and childcare.
- Accepting the proposed agreement involves accepting continuation of impositions and conditions, such as the Croke Park hours, that are detested and professionally degrading. Voting NO would allow us challenge those impositions.
- A NO vote will allow the TUI to develop and pursue alternative approaches to deliver more for members. A campaign of industrial action, properly conducted, is a viable alternative as it has a mobilising effect, can tap into the public mood and can sway political perspectives, especially when elections are imminent. TUI could seek to find common cause for a joint campaign with other unions whose membership may choose to reject the proposal.
- Acceptance of the proposal would place significant limits on the Union’s ability to take industrial action in areas covered by earlier agreements. The proposed agreement also attempts to limit the Union’s capacity to take action in relation to claims or proposals “beyond this process” (Section 4.2.4).
- The local bargaining clause included in the proposed agreement could be used by Government to foster division between and within unions.
- The local bargaining provision is a cynical lure to hook members into a successor agreement in 2026 when we will, no doubt, be told that our commitment to productivity measures negotiated is ongoing but that payment of the remaining 2% depends upon signing up to the successor agreement.
- Of their very nature, national pay agreements limit the scope of individual unions to take action to protect the interests of members.