



**TO:    Third Level Workplace Representatives / Branch Secretaries / Branch Chairs  
Executive Committee**

9<sup>th</sup> November 2016

Dear Colleagues

As you are aware the DES/TUI Agreement, May 2016 covers a range of key issues of importance to members across the sectors represented by the TUI. What follows is a brief update on the status of the various issues at third level. It is important to note that since May there have been intensive negotiations on a range of issues and that these negotiations are ongoing.

### **DES/TUI Agreement, May 2016**

#### **Balance of Lecturing Workload**

The review of matters relevant to lecturing is to commence this month (November). The Colleges Advisory Council (CAC) and Colleges Sub Committee (CSC) have given consideration to what parameters might apply and the TUI will seek to have the following addressed in the review:

- Re-designation of the second timetabled flex hour from September 2017;
- Increased funding to enhance the quality of the student experience and learning in the IoT sector and to bring the Student/Lecturer ratio into line with OECD norms.
- Reduction in Lecturer Workload.
- Equalisation of Assistant Lecturer hours to match Lecturer hours.
- Career structure for academic grades.

As provided for in the DES/TUI Agreement, May 2016, Circular Letter 52/2016 has issued from the DES confirming that half of the two additional flex hours for Institute of Technology lecturing staff introduced by Circular 26/2011 will be re-designated to wider duties other than teaching from 1st January 2017. As part of the third level review, TUI will, as a priority, seek the re-designation of the full flex hours.

In regard to the re-designation, the Department of Education and Skills has confirmed that “wider duties other than teaching” should be read as meaning duties set out in the agreed contract of employment. The hours are to be re-designated in consultation with lecturers and in accordance with institute needs and priorities.

### **Fixed-Term and Part-Time Employment in Lecturing**

The TUI has secured a hugely significant advance in the battle against casualisation at third level. The Cush report on Fixed-Term and Part-Time employment in Lecturing in Third Level education in Ireland - which was provided for under the HRA - was published in May 2016. In July 2016, Circular Letter 41/2016 issued and set out the procedures for the implementation of the Cush Report.

- The Haddington Road Agreement (HRA) reduced the qualifying period for the awarding of a CID from 4 years (provided for under legislation) to 3 years. Circular Letter 41/2016 has reduced the qualifying period further to 2 years. A CID may now be offered following a period of continuous employment in excess of two years with the same employer. This reduction means that a lecturer will be awarded a CID rather than a further Fixed-Term Contract provided the conditions and procedures set out in Circular 93/2007 are satisfied.
- The qualifying period for an enhanced CID (for any additional hours) is also reduced to one year, provided that the conditions and procedures for the awarding of a CID set out in Circular 0093/2007 are also met.
- In advance of advertising any posts/hours, an IOT must undertake a review of existing lecturing staff (who are on less than full hours) to ascertain if any of them are qualified to undertake the additional hours. If the IOT has a suitably qualified part-time lecturer, the hours/post must be offered to him/her in advance of the advertising of the hours/post.

Implementation of this circular will result in substantial improvements in the income of the affected members and its beneficial effects will continue year after year. In getting this Circular, TUI has secured a long standing objective of the Union – a means of addressing casualisation.

### **HPAL issue regarding mix of pro-rata and HPAL hours after conversion to pro-rata AL**

The Department has confirmed that where an individual has had his/her post converted from Hourly Paid Assistant Lecturer (HPAL) to pro-rata Assistant Lecturer under the HRA conversion process, all additional lecturing hours will be remunerated at the pro-rata Assistant Lecturer rate.

### Pay Parity

Our strategy, endorsed by members in January and again in May 2016 in national ballots, has been to have and to use a mandate to secure robust negotiations and, through those negotiations, to make steady progress. In pursuing our mandated strategy, we have utilised every opportunity and made real, measurable, regular progress in our campaign for pay parity and against casualisation.

Moreover, we in TUI devised and deployed our strategy early, almost a year ago and have used the mandate given by members to good - and continuing - effect.

The remaining over-arching issue of returning those (including lecturers) who entered the public service on or after 1<sup>st</sup> January 2011 to full pay parity with those who entered before that date will go to the Public Service Pay Commission. The DES and DPER have committed to this in the agreement reached with the TUI and INTO on 16<sup>th</sup> September. The principle that pay parity must be restored has long since been espoused by the ICTU and acknowledged by government. Some considerable time ago the TUI sought and secured the support of ICTU to prioritise this issue. What remain to be determined are the timing and methodology of establishing pay parity, the when and how.

Achieving **parity of pay based on pre 2011 rates** affects the entire public service and can most effectively be addressed by a common approach with the other public sector unions either through the Public Service Pay Commission (which is due to submit a report to Government in the second quarter of 2017) or through such other collective discussions as may be commenced. TUI will press for a vigorous, unified campaign in this regard that will deliver pay parity as quickly as possible.

We will provide branches and members with regular updates on the progress of our ongoing negotiations with the Department regarding the issues covered by the DES/TUI Agreement, May 2016 and the document of the 16<sup>th</sup> September.

Yours sincerely,



Joanne Irwin  
President



John MacGabhann  
General Secretary