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TEACHERS' UNION OF IRELAND / AONTAS MÚINTEOIRÍ ÉIREANN

Vote 'NO' to reject Public Service Stability Agreement 2013-2018 (Lansdowne Road Agreement)

A Word from the President

Dear Colleagues, the Executive Committee of TUI is recommending that you vote 'NO' to the proposed Lansdowne Road Agreement (LRA). These proposals seek both to extend the Haddington Road Agreement (HRA) from July 2016 to September 2018 and augment its terms. The proposals do not address the discriminatory, differentiated pay scales suffered by those who have entered our profession since 2011. While the proposals are largely directed at the lower paid, the method of application means that many of our part-time members will not benefit. So, for example, the 2.5% pay increase in January 2016 for those with "annualised salaries" up to €24,000 will not apply to any of our part-time teachers and lecturers who actually earn less than that amount. This is because annualised salary refers to points on the pay scale. Therefore, not only is the crisis of casualisation not addressed by the proposals, but our members are further discriminated against.

The LRA also contains new demands. Paragraphs 3.2 and 4 could be invoked to prevent us from taking industrial action over a much wider range of important issues than previously was the case. Paragraph 3.2 refers to a commitment "to effective engagement" with the Government's change agenda. The following are specifically mentioned: Further Education and Training Strategy, Curricular Reform within schools, the Review of Apprenticeship Training in Ireland, the National Strategy for Higher Education to 2030 and the National Strategy to Improve Literacy and Numeracy (2011 to 2020). Paragraph 4.1.5 requires us to implement change pending the outcome of industrial relations processes and 4.1.6 refers to binding arbitration. Paragraph 3.2 should have been removed. TUI and ASTI insisted that our ability to take industrial action on these matters should not be prevented. While a verbal reassurance that there is no new impediment to taking industrial action was provided by the LRC, we required and continue to require a written clarification of this.

At Third Level there is a significant body of evidence that the Croke Park "flex hours" (additional two hours lecturing per week) are having a worryingly damaging impact on lecturer morale and well-being. These additional lecturing hours are unfair and grossly disproportionate in comparison to demands placed on other workers because of the multiplier effect. Lecturers in IoTs were already lecturing weekly hours well in excess of international norms before the added imposition of the "flex hours". The HRA added further hours to a lecturer's workload. This problem needs to be tackled sooner rather than later and done so in its appropriate educational context because of the obvious consequences for the quality of the service.

The "Croke Park" hours are a source of huge anger and concern at second-level. Many teachers point out that departmental style planning is something they always engaged in but are deeply frustrated by the intensely bureaucratic and managerialist nature of the Croke Park hours. Schools and teachers need the time and resources to give of their best. Similarly, in Youthreach and the Adult and Community Education sector, there is the extension from 35 to 37 hours per week for different grades. In these sectors there is an unfulfilled commitment to address a range of issues with regard to terms and conditions of Adult Education Tutors.

There is nothing in the LRA to tackle the ongoing problem of casualisation or differential pay scales. Indeed the undertaking in the HRA to establish an Expert Group to improve employment stability and security in Third Level has not resulted in a report. Conversely lecturers continue to honour their commitments. At second level, while the Ward Report has improved the situation, much more needs to be done. For example, mechanisms are needed to ensure that part-time teachers secure hours which become available. There should be no pause in tackling the scourge of precarious employment.

The Lansdowne Road discussions had a parallel engagement which led to an increase in the liability threshold for the Public Service Pension Reduction (PSPR). This "pension levy", which was imposed on the pensions of retired public sector workers, will be removed by the end of 2017 for approximately 80,000 of the 140,000 of those on pension. However, while there is also a commitment to provide a relief on PSPR, up to a cap of €900 for the remaining higher pensions, there is no commitment to have it removed. Many of our colleagues, retired or soon to retire, who have given huge service to society are adversely affected by this.

Colleagues, at our last Congress TUI stated that, in the event of us being in the situation we are now in, we will not consider ourselves to be bound by an overall majority of public sector unions affiliated to the ICTU. Not only are our legitimate and serious grievances not addressed by the Lansdowne Road proposals but they will be made worse. There are those who would have us steamrolled by this so-called "Public Service Stability Agreement" with no regard for its effects on educationalists and the quality of education.

The LRA arises from a centralised bargaining process between the Public Services Committee of the ICTU and the Government. Such a process perhaps suits bargaining that focuses exclusively on pay but it is not suitable as a means of addressing our conditions of service and the needs of the education system. A sectoral or local bargaining element is required.

We should emphatically reject the Lansdowne Road proposals and take advantage of the period before the General Election to seek to address our grievances in a context appropriate to the educational sector.

Gerry Quinn

Background

Talks between representatives of government departments, led by the Department of Public Expenditure and Reform (DPER), and unions representing public sector workers took place between the 12th and 29th of May, 2015.

The talks, which were facilitated by the Labour Relations Commission, resulted in the publication of a proposed agreement representing an extension of the Haddington Road Agreement.

At a meeting on June 2nd 2015, the Executive Committee of the **TUI decided to recommend that members reject the new pay agreement proposal.**

What are you being asked?

You are being asked if you accept the Labour Relations Commission proposals for a Public Service Stability Agreement 2013-2018 (the Lansdowne Road Agreement).

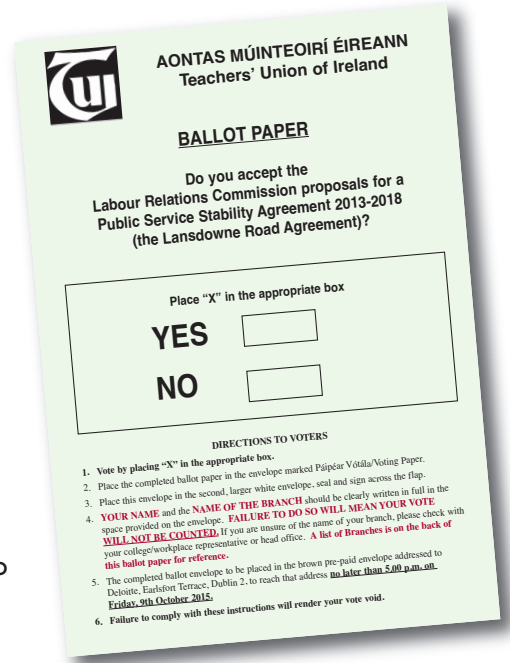
What is the TUI Executive Committee recommending?

The Executive Committee recommends that you vote "NO" to reject the Lansdowne Road Agreement (LRA).

Why is the Executive Committee recommending that you reject the LRA by voting 'NO'?

The Executive Committee has identified a significant number of concerns to TUI members including, but not limited to:

- the continued imposition until 2018 of the 'flex' hours at third level, the extra hours required at second level as a result of previous agreements and the extension from 35 to 37 hours for grades in the Adult and Community Education sector
- the failure to move towards further restoration of the pre-2011 salary scales for newly appointed teachers and lecturers
- the inadequacy of the proposed pay increases and, in particular, the lack of benefit to part-time teachers and lecturers on very low incomes

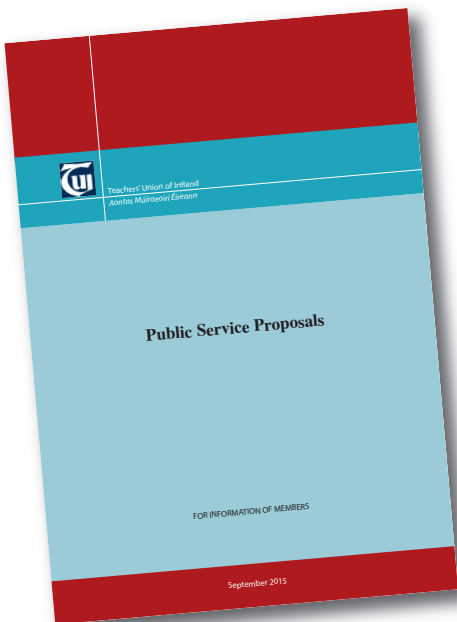


- the requirement to commit to the so-called 'reform agenda' and the repercussions this may have for the union in terms of negotiation rights (Para 3.2)
- the risk that teachers and lecturers could be forced to implement unacceptable change pending arbitration (Para 4.1.5)

When will the ballot take place?

Ballot papers will be posted from TUI Head Office on **Thursday, September 24th, 2015.**

Completed ballot papers must be returned, in the envelopes provided, to the union's auditors, Deloitte, by **5.00pm on Friday, October 9th, 2015.** (To ensure that completed ballots reach Deloitte by the closing date, they should be posted by Wednesday, October 7th 2015 at the latest).



The text of the full agreement has already issued in hard copy to all members and is available on the TUI website.

Following ballots in other unions, the proposal has been accepted by the Public Services Committee of the ICTU.

Vote 'NO'. Reject proposed Lansdowne Road Agreement

What do the proposals provide for?

Pay adjustments

The proposal provides for pay adjustments across the Public Sector as follows:

2016

- 1st January: the exemption threshold for payment of **Pension Related Deduction (PRD)** would increase from **€15,000** per annum to **€24,750** per annum.
- 1st January: annualised salaries* up to **€24,000** to be increased by **2.5%**.
- 1st January: annualised salaries* from **€24,001** up to **€31,000** to be increased by **1%**.
- 1st September: the exemption threshold for payment of **Pension Related Deduction (PRD)** will increase further from **€24,750** per annum to **€28,750** per annum.

2017

- 1st September: annualised salaries* exclusive of allowances **up to €65,000** are increased by **€1,000** at all points of the salary scale.

The agreement has already been accepted by an aggregate vote of member unions of the ICTU Public Services Committee. What happens if TUI members reject the agreement?

It is 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.

If TUI members reject the proposed agreement, what status does the Haddington Road Agreement have?

The Haddington Road Agreement,

Annualised Salaries

**It has been clarified that the term “annualised salaries” relates to the whole-time equivalent.*

Those who are on part-time hours and whose take home pay falls below the amounts outlined above but whose whole-time equivalent is above the thresholds will therefore not receive any benefit. Thus the increases on 1st January 2016 will provide benefit to very few, if any, members of TUI.

PRD

The proposed increase in the PRD exemption thresholds will benefit all public servants with an annual income that exceeds the minimum thresholds but will not benefit those (largely part time staff, including many teachers and lecturers) whose annual income is already below the threshold.

Those who do benefit from the PRD adjustments will, if they are on whole-time contracts, see – on average – a gross increase in salary in the region of €1,000 per year.

which was registered by TUI with the LRC on behalf of members, expires at the end of June 2016. It is TUI's position that the protections and pay adjustments linked to the agreement, which TUI members have fully abided by, should continue to apply. However, the Government could choose to deregister the HRA and seek to replace it with the LRA.

Pay adjustments due under remainder of Haddington Road Agreement:

2017

- 1st April: First pensionable payment of €796 to be added to the

Retirement grace period

The grace period for retirement based on pre-cut salary (that is the pre-Haddington Road Agreement salary) to be extended from June 2016 (provision under Haddington Road Agreement) to September 2018. This means that those retiring during this time would have their pension entitlement calculated on their pre-Haddington Road Agreement salary.

Retired teachers and lecturers

The discussions led to a separate commitment to increase the liability threshold for the Public Service Pension Reduction (PSPR) (ie ‘the pension levy’) in 2016 and 2017, so that by the end of 2017, approximately 80,000 of the 140,000 on public sector pensions will have no liability for PSPR. The remaining, higher paid pensions will receive relief on the PSPR up to a cap of €900 by the end of 2017, but there is no commitment to a complete lifting of the liability.

Common Basic Scale in lieu of the **Supervision and Substitution** payment discontinued in 2013.

- 1st April: Restoration of half of the **2014 pay cut to those earning above €65,000**

2018

- 1st January: Restoration of the remainder of the **2014 pay cut to those earning above €65,000**
- 1st April: Second pensionable payment of €796 added to the Common Basic Scale in lieu of the **Supervision and Substitution payment** discontinued in 2013.

Reasons to reject the proposals by voting 'NO'

- The proposals extend and augment the Haddington Road Agreement for a further two years until September 2018, thus retaining, for example, the two additional 'flex' hours (and multiplier effect) per week for Institute of Technology lecturers and the 33 'Croke Park' hours per annum at second level.
- The proposals fail to move towards further restoration of the pre-2011 salary scales for new and recent entrants to the profession.
- The level of salary 'restoration' is completely inadequate.
- There are no new measures to address the crisis of casualisation.
- Pay restoration is based on annualised salaries which effectively penalises part-time teachers/lecturers even though they may earn less than the threshold amounts. As a result of casualisation, many members of TUI suffer income poverty and
- earn less than the threshold amounts.
- Paragraph 3.2 would require teachers and lecturers to commit to 'effective engagement' with the 'reform agenda'. In the education sector this includes but is not limited to: the Further Education and Training Strategy; Curricular Reform within Schools; the Review of Apprenticeship Training in Ireland; the National Strategy for Higher Education to 2030 and the National Strategy to Improve Literacy and Numeracy (2011 to 2020). This represents a potential threat to the working conditions of TUI members. This threat is best understood in the context of Paragraphs 4.1.5 and 4.1.6 which follow.
- Paragraph 4.1.5 of the LRA would continue to oblige unions to 'co-operate with the implementation of change pending the outcome of the industrial relations process conducted in a timely fashion.'
- This could result in members being required to implement unacceptable change pending arbitration.
- TUI would continue to be forced to commit to an arbitration process which is binding and final (Paragraph 4.1.6).
- Strikes or other forms of industrial action would be precluded in respect of matters covered by the agreement (Paragraph 4.2.3).
- A number of commitments by Government entered into in the Haddington Road Agreement remain unfulfilled. These include the report from the Expert Group on Fixed-Term and Part-Time Employment for the third level sector and the supplementary panel for non-permanent teachers.
- The period before the General Election provides an opportunity to campaign to address our issues utilising appropriate action and fora.

Reasons to accept the proposals by voting 'YES'

- The LRA provides for some restoration of pay – see TUI website for worked examples.
- Rejection of the Agreement could put the extension of the Grace Period at risk.
- If the Government were to deregister the Haddington Road Agreement and replace it with the Lansdowne Road Agreement, pay measures yet to be implemented
- under the Haddington Road Agreement could be threatened. Acceptance would guarantee the additional pay measures due under the Haddington Road Agreement for 2017 and 2018.
- In this context, protections such as that against compulsory redundancy could be jeopardised.
- Rejection of the agreement may, at a future point and subject to a
- further ballot of members, require forms of industrial action which could lead to disruption and potential loss of earnings for members.
- The LRA has been accepted by a majority of public service unions. It could prove difficult to secure any change to its terms.