



Ballot of Members

CEC Unanimously Recommends that Members Reject

Public Service Agreement 2010-2014

in ORDER to

- ✓ **Protect Teachers' Conditions of Work**
- ✓ **Maintain Teacher Self-Esteem and Collegiality in our Schools**

A postal ballot will be conducted with ballot papers to be returned by
May 20th, 2010

PLEASE USE YOUR VOTE!

**Your NO vote will assist the ASTI in protecting pay and conditions of
the teaching profession**

Reasons for rejecting PSA 2010-2014

Introduction

CEC unanimously recommends to ASTI members to reject Public Service Agreement 2010-2014 in the ballot of members.

- ◆ In the last 18 months teachers have endured a **pay cut**, various levies including the **pension levy** and **income levy** and a loss of hard won conditions of work, e.g. **Early Retirement Strands; moratorium on Posts of Responsibility; increased pupil/ teacher ratio; less favourable sick leave arrangements; curtailment of supervision and substitution scheme; reduced funding to schools as a result of education cuts.**
- ◆ The new Minister for Education and Skills, Tánaiste Mary Coughlan TD, did not rule out further cuts in education at the INTO Conference at Easter.
- ◆ In this agreement there is no commitment to address issues which would enhance learning such as adequate resource provision or the discipline problems in our schools.
- ◆ This agreement is unique in its potential to extract huge productivity and changes in working conditions over a period of four years. This is at a time when most members have had a decrease of up to 20% in their take home pay in the last 18 months. For members who have lost temporary posts, the decrease is even greater.
- ◆ Teachers have already engaged in a transformation agenda. This transformation agenda has included: the implementation of the Leaving Cert Applied, Leaving Cert Vocational Programme, Junior Cycle Schools Programme, and Transition Year; the integration of international students; new syllabi, etc.

THE FOLLOWING SETS OUT THE MAIN REASONS WHY MEMBERS SHOULD REJECT THE DEAL FROM THE DEBATE HELD AT ANNUAL CONVENTION, EASTER 2010:

Pay Element

- ◆ No guarantee of partial or full restoration of the pay cut (January 2010). (Paragraph 1.16)
- ◆ No defined criteria set down for the restoration of the pay cut. (Paragraph 1.16)
- ◆ No guarantee against further pay cuts. (Paragraph 1.28)
- ◆ The agreement endorses the ceding of pay increases (6%) due under Towards 2016 Transitional Agreement.
- ◆ Merit based competitive promotion will result in many teachers never attaining a post of responsibility. (This may be at variance with the existing phasing in agreement between the ASTI and the Department of Education and Skills, i.e. some posts on service and some posts by interview). (Paragraph 1.13)
- ◆ There is no written statement that proposed performance management systems may not impact negatively on incremental advancement. (Paragraph 1.13)
- ◆ Does not remove or even address the pension levy.
- ◆ Uncertainty regarding the value of pensions for new, existing and retired teachers remains under the agreement. This agreement binds us into accepting whatever the final outcome may be following consultations between the unions and the Government. (Paragraph 1.17).

Conditions of Employment

- ◆ The **additional non-teaching hour at the discretion of the school management** (Education Sector Agreement paragraph 3.2)
 - Will undermine the professional ethos of teachers.
 - Will undermine the posts of responsibility system.
 - Will reduce paid supervision and substitution in schools.
 - Will damage teachers' goodwill.
 - Will disadvantage non-permanent teachers.
 - Will undermine collegiality if work is unfairly distributed.
- ◆ The further **curtailment of the supervision and substitution scheme** will disadvantage non-permanent teachers and increase demands on those in the scheme. (ESA paragraph 3.2)
- ◆ The **comprehensive review and revision of the teaching contract** will result in a significant worsening of the working conditions of members. Changes could range from issues such as all in-service, parent/ teacher meetings and staff meetings outside of school time to co-operating with alternative methods of assessing students for State certification purposes. (ESA paragraph 3.2)
- ◆ The agreement states that the **contract** must be revised with effect from September 2010.

Therefore, the changes would be delivered before a possible budgetary deterioration which could result in further pay cuts. (Paragraph 1.28 & ESA paragraph 3.2)

- ◆ This agreement commits teachers to the **modernisation agenda** (curricular and legislative changes) as set out in previous agreements (Paragraph 1.12) while at the same time the Government has reneged on the pay elements of these agreements. For example, Towards 2016 sets out the principles of organisational change and an example of the very time consuming changes in that agreement is the extra demands placed on science teachers by new practical courses.

Constraints on ASTI in Safeguarding Members' Conditions

- ◆ Parties to the Agreement are precluded from taking industrial action on matters covered by the agreement. (Paragraph 1.27)
- ◆ The Agreement provides that the ASTI cannot lodge any cost-increasing claims. (Paragraph 1.27)
- ◆ Disagreements on matters covered by the Agreement are referred to binding arbitration. (Paragraph 1.24)
- ◆ In this Agreement changes are implemented while the matter is under dispute. (Paragraph 1.23).

Conclusion

Accepting this deal will result in:

- a. Dismantling hard won conditions of employment fought for by generations of teachers.
- b. The endorsement of the pension levy and pay cuts.
- c. Further demoralising and demeaning of the teaching profession.

Your NO vote will assist the ASTI in protecting pay and conditions of the teaching profession

Public Service Agreement

2010 - 2014

1.1 This Agreement will ensure that the Irish Public Service continues its contribution to the return of economic growth and economic prosperity to Ireland, while delivering excellence in service to the Irish people. This will be done by working together to build an increasingly integrated Public Service which is leaner and more effective, and focussed more on the needs of the citizen. The Parties to this Agreement recognise that to achieve this, in the context of reduced resources and numbers, the Public Service will need to be re-organised and public bodies and individual public servants will have to increase their flexibility and mobility to work together across sectoral, organisational and professional boundaries.

1.2 The Government acknowledges that public servants have made a very significant contribution towards the recovery of the economy over the last 2 years with over €3 billion saved from the potential Public Service pay and pensions bill:

- ◆ The general round pay increases under the terms of the Review and Transitional Agreement due in 2009 were not paid;
- ◆ A general moratorium on recruitment and promotion was applied to most of the Public Service, and incentivised early retirement and career break schemes introduced;
- ◆ A pension related deduction of an average of nearly 7% was applied to all the earnings of all public servants; and most recently
- ◆ A reduction in rates of pay and allowances took effect on 1 January, 2010.

1.3 The core concern for Government is to restore the public finances and to reduce the deficit to less than 3% of GDP by 2014, in part by achieving sustainability in the cost of delivering public services relative to State revenues. To help achieve that goal, the Government intends to restructure and reorganise the Public Service significantly in the coming years, having regard in particular to the Government Statement on Transforming Public Services, the Government decisions already taken on rationalizing State bodies, the recommendations arising from the Reports of the Special Group on Public Service Numbers and Expenditure Programmes and the Local Government Efficiency Review Group and the National Strategy for Higher Education. This

Agreement will enable Public Service numbers to reduce substantially over the coming years in accordance with a new Public Service numbers policy, which will facilitate a progressive reduction in staff numbers across the Public Service by end-2012 and will be implemented by Employment Control Frameworks.

1.4 In order to sustain the delivery of excellent public services alongside the targeted reduction in Public Service numbers over the coming years, the Parties accept that efficiencies will need to be maximised and productivity in the use of resources greatly increased through revised work practices and other initiatives. The Parties will work together to implement this Agreement to deliver an ongoing reduction in the cost of delivery of public services along with excellent services to the public.

Public Service Commitments

Reduction in Public Service numbers

1.5 To facilitate the necessary reduction in numbers of public servants, the moratorium on recruitment to and promotion in the Public Service and other employment numbers control mechanisms will continue to apply until numbers in each sector have fallen to the appropriate level specified in the Employment Control Framework for that sector. In addition, where the circumstances require it, the Government may offer voluntary mechanisms to exit the Public Service, whether generally or in specific sectors, bodies, locations or services.

1.6 The Government gives a commitment that compulsory redundancy will not apply within the Public Service, save where existing exit provisions apply. This commitment is subject to compliance with the terms of this Agreement and, in particular, to the agreed flexibility on redeployment being delivered. To that end, the redeployment arrangements referred to below will include opportunities for re-skilling and re-assignment as a key method to retain and secure employment in comparable roles in the Public Service.

Redeployment in the integrated Public Service

1.7 Flexible redeployment is necessary to sustain the commitment to job security within the Public Service. The Parties have agreed appropriate arrangements to redeploy staff within and across each sector of the Public Service. If it is not feasible to redeploy within the sector, cross-sectoral

redeployment may take place, within a geographic area where possible, having regard to the arrangements agreed in respect of non-commercial Statesponsored bodies.

1.8 In order to help in the integration of the Public Service, barriers to a unified Public Service labour market will be dismantled, including through legislative provision as appropriate. To the greatest extent possible, there will be standardised terms and conditions of employment across the Public Service, with the focus initially within sectors. In that context, the Parties have agreed to review and revise contractual or other arrangements or practices which generate inflexibility or restrict mobility.

Reconfiguring the design and delivery of public services

1.9 The Parties agree that public bodies and management and individual public servants will have to work more closely across sectoral, organisational and professional boundaries when designing and delivering services. The greater integration of the Public Service will not be achieved through the creation of a single organisation. Instead, the focus will be on having fewer organisations in total, working more closely together, to deliver cost effective public services. The Parties are committed to engaging at a national, sectoral and local level to achieve specified and measurable outcomes in relation to cost containment, service integration and reconfiguration as well as to engaging staff in progressing change.

1.10 In order to maximise productivity gains, both from how work is organised and from streamlining procedures, processes and systems to allow for shared services and e-government developments, a substantial commitment to the redesign of work processes will be necessary. The Parties will co-operate with the drive to reduce costs through organisational rationalisation and restructuring and by service delivery organised in different ways or delivered by different bodies. The aim is to minimise duplication of effort, reuse data within the public system and reduce information demands on the citizens and business. The introduction of new or improved technology, service provision online and electronic funds transfer will be regarded as the norm. Processes and service delivery will be improved by better collation and re-use of data and personal information and by centralising transaction and certain sectoral data handling support functions. Inter-operability and standardisation of specifications and systems (hardware and software) will be mandatory both to achieve cost savings and facilitate integrated approaches. More risk-based approaches in inspection and enforcement activities will be adopted, with fewer but better targeted inspections through cooperation agreements, joint inspection teams and the merger of inspectorates and higher penalties for non-compliance.

1.11 There will be a greater sharing of resources through the use of shared services within and across sectors.

1.12 The Parties are committed to Public Service modernisation as set out in previous agreements.

Performance and Skills

1.13 The Parties agree that, in order to ensure a high performing, high productivity Public Service, appropriately skilled personnel from outside the Public Service will be recruited to secure scarce and needed skills at all levels. Merit-based, competitive promotion policies will be the norm. There will be significantly improved performance management across all Public Service areas, with promotion and incremental progression linked in all cases to performance. Performance management systems will be introduced in all areas of the Public Service where none currently exist.

Sectoral agreements

1.14 The Parties agree that there will be full cooperation with the arrangements made in the agreements for each sector which are appended to this document. The Parties further agree to work further to develop new collaborative approaches at a local, sectoral or Public Service level, including cross sectoral redeployment within the parameters agreed, to deliver significant cost efficiencies while protecting the quality and effectiveness of services provided to the public.

Public Service Pay Policy

1.15 There will be no further reductions in the pay rates of serving public servants for the lifetime of this Agreement. This commitment is subject to compliance with the terms of this Agreement.

1.16 The position concerning Public Service pay, including any outstanding adjudication findings, will be reviewed in Spring 2011 in accordance with the statutory requirement under both the Financial Emergency Measures in the Public Interest Acts of 2009 to review the operation, effectiveness and impact of the Acts before 30 June 2011, and every year thereafter. In addition to the criteria set out in those Acts, that review will take account of sustainable savings generated from the implementation of this Agreement and of the agreements in each sector. Those savings will be independently verified by the Implementation Body. In the event of sufficient savings being identified in the Spring 2011 review, priority will be given to public servants with pay rates of €35,000 or less in the review of pay which will be undertaken at that stage.

Public Service pensions

1.17 As announced in Budget 2010, the Government has decided to introduce a new single pension scheme for all new entrants to the Public Service. Consultations on the new scheme have started between the Parties and it is agreed that these consultations will conclude in time for legislation to be enacted to allow for the introduction of the scheme on 1 January 2011.

Discussions will take place on the method of determining pension increases for existing Public Service pensioners and current public servants in the context of the review of pay policy in Spring 2011. There will be an extension of the

period by a year within which the January 2010 pay reductions will be disregarded for the purposes of calculating Public Service pension entitlements.

Performance Verification

1.18 The implementation of this Agreement and of the sectoral agreements between the Parties, which comprise the transformation agenda across the Public Service, must be driven by a dedicated Implementation Body so that early, robust and verifiable outcomes can be assured. The Implementation Body will comprise an independent chair and 6 persons, 3 nominated by Public Service management and by the Public Services Committee of ICTU respectively. In addition, the body can deal with the resolution of implementation issues as they arise.

1.19 In order to enhance the prospects of successful transformation and more integrated services, the Implementation Body will have:

- ◆ access to management in every sector;
- ◆ direct contact with national and sectoral union representatives as appropriate;
- ◆ access to timely and accurate information on staff numbers and payroll costs; and
- ◆ Independent support to cost and verify savings derived from the implementation of this Agreement and of the sectoral agreements.

1.20 As part of the Body's working arrangements, it will meet regularly, including on a sectoral basis, with the relevant management and unions to review implementation of the transformation agenda for the respective sector. The Implementation Body will make regular reports in relation to progress on the implementation of the transformation agenda across the Public Service, based on this Agreement and the sectoral agreements, to the Taoiseach and the Cabinet Committee on Transforming Public Services.

1.21 In addition to helping to drive implementation of the Agreement, the Body will provide a forum for interpretation and implementation difficulties arising from the relevant sectoral agreements to be addressed in some detail between management and unions, prior to any decision on referral on any issue for mediation and/or arbitration. The Body could be supported by sectoral sub-committees established under its aegis from time to time.

1.22 The Implementation Body may appoint people to promote the process of change under the agreement in each sector or to provide mediation or arbitration in the relevant sector on a case by case or standing basis.

Mechanism to resolve disagreements

1.23 The Parties agree that they will seek to resolve disagreements where they arise promptly. Trade unions and employees will co-operate with the implementation of change pending the outcome of the industrial relations process.

1.24 Where the Parties involved cannot reach agreement in discussions on any matter under the terms of this Agreement within 6 weeks, or another timeframe set by the Implementation Body to reflect the circumstances or nature of the particular matter, the matter will be referred by either side to the LRC and if necessary to the Labour Court; where a Conciliation or Arbitration Scheme applies, the issue will be referred within 6 weeks, or another timeframe set by the Implementation Body to reflect the circumstances or nature of the particular matter, by either side to the Conciliation machinery under the Scheme and, if unresolved, to the Arbitration Board, acting in an ad hoc capacity. The outcome from the industrial relations or arbitration process will be final. Such determination(s) will be made within 4 weeks, or another timeframe set by the Implementation Body to reflect the circumstances or nature of the particular matter.

Stable Industrial Relations Climate

1.25 The Parties recognise the importance of stable industrial relations and are committed to maintaining a well-managed industrial relations environment to minimise disputes affecting the level of service to the public. A stable industrial relations climate has important benefits for the general public and the Public Service itself. These benefits include the provision of uninterrupted services, improved productivity and staff morale, increased public confidence and the maintenance of Ireland as a desirable location for foreign direct investment.

1.26 Many public services differ from services which are provided by the private sector in that they are essential services which the public cannot obtain from alternative sources. Providers of essential services and their staff, therefore, have a special responsibility to ensure that they have well developed communication channels and to seek to resolve problems before they escalate into industrial disputes. If the problem cannot be resolved then it is agreed by all Parties to take up all available dispute resolution mechanisms (both statutory and non-statutory).

1.27 The Parties agree that:

- ◆ no cost-increasing claims by trade unions or employees for improvements in pay or conditions of employment will be made or processed during the currency of the Agreement;
- ◆ Employers, trade unions and employees are committed to promoting industrial harmony; and
- ◆ Strikes or other forms of industrial action by trade unions, employees or employers are precluded in respect of any matters covered by this Agreement, where the employer or trade union concerned is acting in accordance with the provisions of this Agreement.

1.28 The implementation of this Agreement is subject to no currently unforeseen budgetary deterioration.

Education Sectoral Agreement

3.1 The following range of measures are designed to facilitate the most effective and efficient use of resources and to maximise the quality of educational delivery:

3.2 Teachers

- ◆ The provision, with effect from the start of the 2010/11 school year, of an additional hour per week to be available to facilitate, at the discretion of management, school planning, continuous professional development, induction, substitution and supervision (including supervision immediately before and after school times). This list is not exhaustive.
- ◆ With effect from the start of the 2010/11 school year, post-primary teachers to be available for three timetabled class periods per week under the supervision and substitution scheme (while leaving the current maximum number of hours used per teacher per week under this scheme the same as at present).
- ◆ Full implementation of new procedures providing for redeployment of surplus teachers, to commence from June 2010 and to be fully implemented for the start of the 2011/12 school year.
- ◆ A comprehensive review and revision of the teaching contract to identify and remove any impediments to the provision of efficient and effective teaching to students in all sectors. This review and revision to be completed in advance of the start of the 2010/11 school year.

3.3 Special Needs Assistants

- ◆ A comprehensive review and revision of the existing employment terms and conditions to identify and remove any impediments to the provision of efficient and effective support for students with special care needs. This review and revision to be completed in advance of the start of the 2010/11 school year and to have regard to those elements of the Towards 2016 Agreement relating to SNAs.
- ◆ Flexible deployment of Special Needs Assistants within schools to respond to urgent work demands and to cover for periods of absences by SNA colleagues.
- ◆ Where work demands arise during non-instruction days, school management will continue to have discretion to deploy staff to appropriate SNA duties.

3.4 Vocational Education Committees (Other than teachers and SNAs)

- ◆ A comprehensive review and revision of existing employment terms and conditions to harmonise them with similar grades in the Public Service. This review and revision to be completed in advance of the start of the 2010/11 school year.

- ◆ Co-operation with the restructuring and rationalisation of the VEC sector.
- ◆ Co-operation with the introduction of shared services in areas such as payroll, student support, procurement and purchasing, ICT and HR management.
- ◆ Implementation of redeployment schemes across the VEC sector and the wider Public Service with effect from the start of the 2010/11 school year. These schemes to have regard to schemes developed in comparable sectors.

3.5 Institutes of Technology

- ◆ The completion by 31 August 2010 of all elements of the review of the academic employment contract currently in train.
- ◆ With effect from the start of the 2010/11 academic year, the provision of an additional hour per week to be available to facilitate, at the discretion of management, all educational activities in the Institutes. This usage to be informed by the outcome of the review referred to above.
- ◆ Flexible delivery of new courses specifically targeted at unemployed individuals.
- ◆ Implementation of redeployment schemes for academic, administrative, technical and support staff across the Institutes and between Institutes and the wider Public Service as appropriate with effect from the start of the 2010/11 academic year.

3.6 Universities and other Higher Education Institutes

- ◆ With effect from the start of the 2010/11 academic year, the provision of an additional hour per week to be available to facilitate, at the discretion of management, teaching and learning in the university/institute.
- ◆ Co-operation with the introduction of academic workload management and full economic costing models and with the compilation of associated data to support these.
- ◆ Co-operation with redeployment/re-organisation/rationalisation arising from the review of Higher Education strategy and changing economic and social circumstances.
- ◆ A comprehensive review and revision of employment contracts to identify and remove any impediments to the development of an optimum teaching, learning and research environment. This review and revision to be completed in advance of the start of the 2010/11 academic year.