

Vote NO to ‘Outcome of Talks’ proposals

– CEC recommends rejection of proposals

The ASTI is conducting a ballot of members on proposals which emerged from talks between the ASTI, the Department of Education and Skills, and Anna Perry, Chair of the Teachers’ Conciliation Council.

These talks followed two days of strike action by ASTI members over recently qualified teachers’ pay and withdrawal from supervision and substitution for one day over the Government’s use of Financial Emergency in the Public Interest (FEMPI) legislation to worsen the terms and conditions of ASTI members.

The ASTI Central Executive Council has considered the proposals and is recommending that ASTI members reject them.

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The closing date for receipt of ballot papers in ASTI Head Office is **5.30 p.m. on February 1st**. Please make sure you return your ballot paper early. Post can take several days.

“The proposals do not achieve equal pay for equal work.”

– ASTI President, Ed Byrne



Message from ASTI President Ed Byrne

Dear Colleagues

We in the ASTI are once more heading for the ballot box. The number of ballots we have had in recent times is indicative of our principled stances and of our commitment to pursuing the issues of most concern to members.

The proposals members are voting on relate to long-standing issues. The ASTI Central Executive Council (CEC) is urging members to reject the proposals so that the union can continue to campaign on these issues.

The issue of pay for post 2010 entrants and the principle of equal pay for equal work caught the public zeitgeist. The proposals do not achieve equal pay and therefore CEC is recommending rejection of the proposals.

The issues around a reformed Junior Cycle remain – standards, equity and fairness for students. Our concerns have not been addressed and we continue to believe that education is in danger of taking a wrong turn. Therefore CEC is urging a no vote to the proposals.

The ASTI is a campaigning union and believes in the right to reject offers from our employer without fear of excessive attacks on our pay, terms and conditions. So long as the FEMPI legislation exists, the basic right of a trade union to negotiate on behalf of its members is a right denied. This is one more reason why CEC is seeking a rejection of these proposals.

This ballot gives you an opportunity to have a say on the terms and conditions of second-level teachers and on the future of the teaching profession. Please use your vote.

Sincerely

Ed Byrne
ASTI President

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Vote No to ‘Outcome of Talks’ proposals

The ballot will be conducted in January with ballot materials arriving in schools from January 19th. School Stewards/ returning officers are being asked to distribute and collect ballot papers between Monday, January 23rd and Thursday, January 26th. Members also have the option of returning their ballot papers directly to ASTI Head Office. All ballot papers must be received by ASTI Head Office before 5.30p.m. on Wednesday, February 1st.

What am I voting on?

You are being asked to vote on whether to accept or reject the proposals which emerged from recent talks. The proposals in tandem with assurances relating to Junior Cycle reform have been circulated to schools and are also available on the ASTI website.

Additional information such as relevant Circulars and the Lansdowne Road Agreement are also available on the ASTI website

Consequences of accepting or rejecting the proposals

Rejection of these proposals means that the ASTI campaign of opposition to the Junior Cycle reform proposals will continue and the withdrawal from the 33 Croke Park hours will continue. Acceptance of the proposals means that members accept the terms of the Lansdowne Road Agreement and the Junior Cycle proposals. Such acceptance would preclude the ASTI from taking any industrial action in furtherance of Junior Cycle reform or new entrants’ pay scales.

Members will note that many of the proposals have implications for teachers’ pay, conditions of service and teacher well-being.

An ASTI Central Executive Council Sub-committee has set out the consequences for members of rejecting the proposals and accepting the proposals as follows:

Supervision and substitution

Rejection of proposals

ASTI has a mandate (78% in a ballot of members) to withdraw from the Supervision and Substitution Scheme.

- ASTI Standing Committee has already signalled its intention to achieve an orderly withdrawal from the supervision and substitution scheme by ASTI members. It may be necessary to continue doing supervision and substitution unpaid for a period of time in order to ensure schools do not close.

Acceptance of proposals

- ASTI members will participate in the supervision and substitution scheme and will attract the application of €796 to the pay scale from September 2016 and a further €796 to the pay scale from September 2017 as had been agreed in the Haddington Road Agreement.

“The issues around a reformed Junior Cycle remain – standards, equity and fairness for students.”

– Ed Byrne, ASTI President

- An option to opt out of S&S will be available for teachers with 15 years or more of service (subject to loss of €1769 from salary – variable with reference to future pay increases).
- An option to opt in to S&S will be available for teachers, but only pensionable for those with more than 10 years' service available before preserved pension age.

Fixed Term and Part-Time Employment

Rejection of proposals:

- ASTI members will continue not to be covered by the provisions of the Ward Report.
- ASTI members will continue not to be eligible for a CID until their 5th year. Any objective ground (including covering for secondment or career break) will stop that year counting towards a CID.
- ASTI CID holders with additional temporary hours will not get these hours on a permanent basis after one year, they will have to wait in excess of four years.
- ASTI CID holders and fixed term teachers with less than full hours will not be given priority when hours become available in their school.
- A supplementary panel, as promised in the Haddington Road Agreement, or equivalent for second-level teachers will not be considered.

Acceptance of proposals:

- ASTI members will again be covered by the provisions of the Ward Report.
- ASTI members will be eligible for a CID in their 3rd year.
- Objective grounds will be waived in certain cases (i.e. covering for secondment or career break) when counting years for a CID.
- ASTI CID holders with additional temporary hours will get these hours on a permanent basis after one year.
- Available hours will go to CID holders and fixed term teachers with less than full hours as a priority.
- Discussions will take place with a view to putting in place a supplementary panel or an equivalent mechanism to accommodate second-level teachers.

Pay for New Entrants

Rejection of proposals:

Based on an 80% mandate in a ballot of members, ASTI can continue to take industrial action for the restoration of the pre-2011 common basic scale and allowances for all members, i.e. equal pay for equal work.

- 2011 entrants will receive no pay restoration under the proposals and will remain on their current salary scale (up to 14% less than their pre 2011 colleagues).
- ASTI members who entered the profession from 2012 will not receive partial restoration of the differential in pay between pre 2011 entrants and 2011 entrants (as set out in the proposals document).
- Three pay scales will continue to exist for ASTI members.

“So long as FEMPI legislation exists, the basic right of a trade union to negotiate on behalf of its members is being denied.”

– Ed Byrne, ASTI President

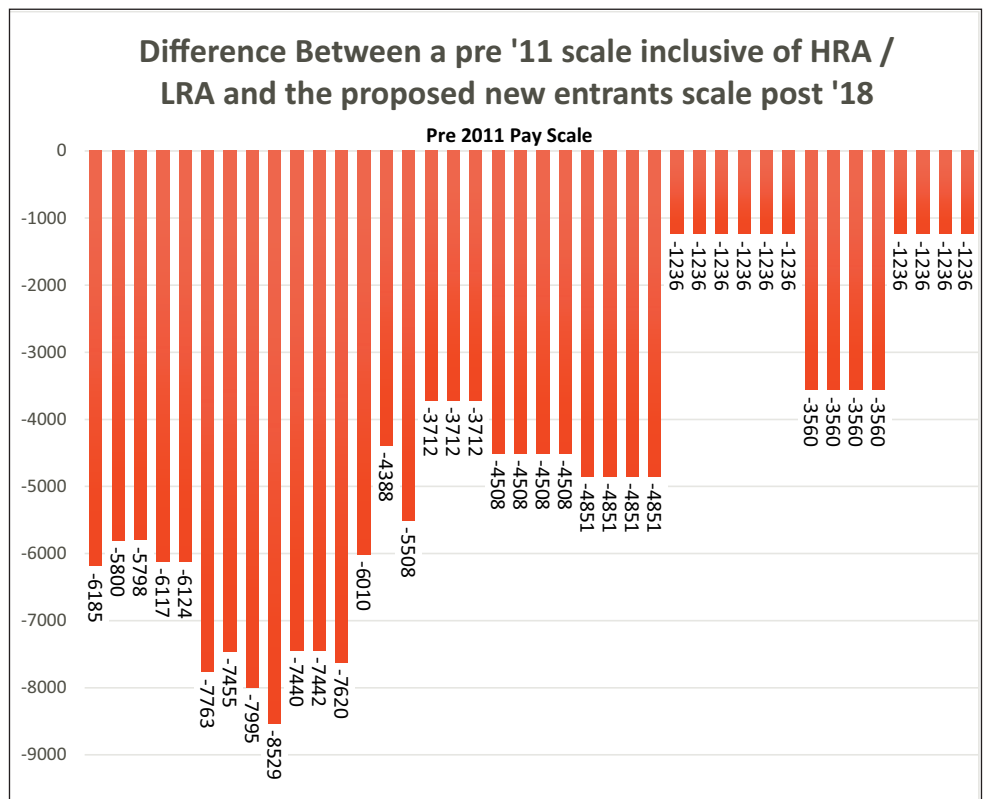
Acceptance of proposals

- There is no commitment to pay equality in these proposals.
- ASTI members who entered the profession from 2012 will receive partial restoration of the differential in pay between pre 2011 entrants and 2011 entrants (as set out in the proposals document).
- All entrants from 2011 onwards will continue to be placed on an inferior pay scale. Further consideration of this matter will be remitted to the Public Sector Pay Commission. The loss of the H. Dip Allowance is currently before the Teachers’ Conciliation Council.

“The proposals do not achieve equal pay for equal work.”

– Ed Byrne, ASTI President

Salary gap for recently qualified teachers under the proposals



The proposals will result in a single salary scale for teachers who entered teaching post-January 1 2011. When fully implemented, this will mean a significant earning differential between those who entered teaching before and after January 1 2011. This graph illustrates this differential as it occurs throughout a teacher’s career. The graph includes the restoration outlined in the proposals document, payment in recognition of supervision and substitution work and salary increases due under the Lansdowne Road Agreement.

Teachers' pay

The Government continues to use FEMPI legislation to coerce ASTI for exercising its democratic right to accept or reject collective agreements. ASTI believes that such legislation inhibits normal industrial relations.

Rejection of proposals

Continued implementation of the terms of CL 0045/2016 which sets out a series of measures being applied to ASTI members including

- Freezing of pay increments from July 11 2016 until June 30 2018.
- Withdrawal of alleviation of the FEMPI Act 2013 pay reductions for teachers earning in excess of €65,000 per annum from September 1 2016.
- The phased reversal of pay reductions for higher earners (over €65k) due in April 2017 and January 2018 may not apply.
- €1000 payment available to other public servants in September 2017 will not be paid to ASTI members.

Acceptance of proposals:

- All ASTI members will receive a €1,000 increase in September 2017.
- Payment of increments to ASTI members will recommence. Based on understandings reached with the Department of Education and Skills, this will be retrospective.
- Alleviation under the FEMPI Act 2013 of pay reductions for teachers earning in excess of €65,000 per annum from September 1 2016 will apply. (This will apply retrospectively).
- The phased reversal of pay reductions for higher earners (over €65k) due in April 2017 and January 2018 will apply.

Posts of Responsibility

Rejection of proposals

This is not a return to the Posts of Responsibility model that currently exists in our schools. It is linked to a new managerial structure as set out in "Looking at Our School 2016 – A Quality Framework for Post-Primary Schools" (DES). It constitutes significant system change. For example, the proposals refer to a leadership team in a school with appropriately defined and shared responsibility for such areas as: Curriculum and learning (link to Junior Cycle), School improvement (link to School Self Evaluation) and leadership and development of staff teams (opens up possibilities of Department Heads and Peer Evaluation).

Full details can be accessed at www.asti.ie – see ballot information page.

- The 1,000 additional management posts for schools announced in Budget 2017 (across all sectors – circa 4000 schools) will not apply to schools staffed by ASTI members or be available for ASTI members in other schools.
- From 1st January 2017, there is a commitment to restore posts that will be lost to the system from that date. The commitment is to return the post to the system (schools where most needed) and not to the school. This

restoration will not apply to schools staffed by ASTI members or be available for ASTI members in other schools.

- The ASTI Directive on Posts of Responsibility will continue in force.
- ASTI members will not have to implement an agreed distributed leadership model (see proposals document).

Acceptance of proposals

- An INTO and TUI/ Management Bodies/ Department of Education and Skills “agreed distributed leadership model” will be implemented in all schools (Some aspects already agreed are not ASTI policy – see proposals document).
- Schools staffed by ASTI members will get a proportion of the 1,000 management posts (announced in Budget 2017).
- The commitment to restore posts lost to the system from 1st January 2017 will apply to ASTI schools. This will ensure a number of additional posts will be filled.
- Seniority will no longer be a stand-alone element and appeals will be based on procedural grounds only.

Croke Park Hours

Rejection of proposals

- The Croke Park hours directive will remain in place and members will continue to benefit from the elimination of unpaid work and associated workload.
- The Department will continue to apply FEMPI measures.

Acceptance of proposals

- ASTI members will be committed to the 33 Croke Park hours per annum.
- 2015/16 – a maximum of 5 hours was available to be used on a non-whole school basis.
- 2016/17 – a maximum of 8 hours may be used on a non-whole school basis.
- 2017/18 – a maximum of 10 hours may be used on a non-whole school basis.
- There will be a review of usage of the hours.

Junior Cycle

Rejection of proposals

The ASTI has campaigned for standards, equity and fairness at Junior Cycle for the last five years. This has been the cornerstone of our objection to the proposed new Junior Cycle. This opposition will continue including:

- ASTI will not participate in Classroom Based Assessments.
- ASTI members’ students will not do an Assessment Task.

- ASTI members will not attend Subject Learning Assessment Review meetings and will continue to teach up to 22 hours per week.
- ASTI members will not attend Junior Cycle Framework CPD.
- ASTI will continue to refuse to attend meetings of the Junior Cycle Implementation Committee.
- ASTI will continue to campaign for differentiated levels in all subjects.
- ASTI will continue to campaign for externally assessed orals in Gaeilge and Modern languages.

Acceptance of proposals

ASTI members will implement the Framework for Junior Cycle in accordance with the Junior Cycle Reform Joint Statement on Principles and Implementation and Appendix to the Joint Statement - May, 2015. This will involve the following:

- Acceptance will overturn a previous rejection of the proposals without any change to the 2015 Junior Cycle Framework document.
- ASTI will have to withdraw its directive on Junior Cycle oral examinations (issued August 2016).
- ASTI members will participate in Classroom Based Assessments, including reportage and certification of own students for Junior Cycle Profile of Achievement.
- Assessment Task (Second calendar opportunity referenced in proposals).
- Subject Learning Assessment Review meetings (Moderation meetings).
- Max 21 hours 20 mins timetabled teaching.
- CPD for Framework for Junior Cycle.
- ASTI will be represented on the Junior Cycle Implementation Committee.
- Review arrangements including a longitudinal study are proposed.
- Implementation of the Junior Cycle Framework proposals represents significant system change. The proposals would increase local managerial control over curriculum and assessment at Junior Cycle level potentially reducing teachers' professional autonomy.

Recordings of sick leave absence

Rejection of proposals

- Partial sick leave absences will continue to be recorded by the Department of Education and Skills as full days, and as partial absences by the school. The Department's record will continue to be subject to amendment where there is a risk of a teacher using up their entitlement to fully paid sick leave.

Acceptance of proposals

- Partial sick leave absences will only be recorded by the Department of Education and Skills once the teacher has accumulated the equivalent to a full day's sick leave.

Completed ballot papers must reach ASTI head office before **5.30pm on Wednesday, February 1st**. Post can take several days.

The following documents are available on the ASTI website ballot page:

- Lansdowne Road Agreement.
 - Report to the Minister for Education & Skills of the Chairperson of the Expert Group on Fixed-Term and Part-Time Employment in Primary and Second Level Education in Ireland - September, 2016.
 - Circular 0024/2015 – Implementation of the Recommendations of the Expert Group on Fixed-Term & Part-time Employment in Primary & Second Level Education in Ireland.
 - Circular 0059/2016 – Revised Procedure and Sequence for filling available Teacher posts /Hours (Revision to c/I 34/2009).
 - Department of Education Skills / TUI Agreement – May, 2016.
 - New Entrant Pay Issue and Related Commitments, September, 2016.
 - Circular 0006/2014 – Public Service Stability Agreement 2013 – 2016 (Haddington Road Agreement) Supervision and Substitution Scheme.
 - Circular 0043/2014 – HRA Review of Usage of Croke Park Hours.
 - Junior Cycle Reform Joint Statement on Principles and Implementation and Appendix to the Joint Statement – May, 2015.
 - Framework for Junior Cycle, 2015.
 - Looking At Our School 2016 – A Quality Framework for Post-Primary Schools.
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Job Security

Rejection of proposals

The Department of Education and Skills has threatened to make teachers in over quota and school closure situations redundant and to deny them access to the redeployment scheme.

- No access to redeployment scheme for teachers. These teachers will be made redundant in over quota and school closure situations.
- Enhanced redundancy package will be withdrawn; (5 weeks wages for every year of service). Only statutory redundancy only will be available (2 weeks wages for every year of service).

Acceptance of proposals

- Teachers in over quota schools and in school closure situations will be placed on the Redeployment Panel, normal procedures apply.
- No compulsory redundancy.
- Commitment to extend pilot voluntary redeployment scheme to cover all regions.

Other

Rejection of proposals

- Some of the proposals involve retrospection (e.g. increments and S&S payments). The Department of Education and Skills has stated that such retrospection will not be available if members of the ASTI reject these proposals at this time.
- In a meeting with the Department of Education and Skills in December 2016, Department representatives stated that in the event of continuing or further industrial action further consequences will follow for ASTI members in addition to those outlined above.

Rejection of the proposals will renew the ASTI's mandate to continue to fight to achieve key objectives such as equal pay for equal work and appropriate curricular reform at Junior Cycle level.

For further information, including supporting documentation, visit www.asti.ie