

Report of Teachers Conciliation Council (C&A) 2017

Membership of the Teachers Conciliation Council (TCC) includes:

- (a) **Official (Management) Side:** Department of Education & Skills, Department of Public Expenditure & Reform (DPER), ACCS, JMB, CPSMA and ETB
- (b) **Staff (Teachers) Side:** ASTI, TUI and INTO

Example: Council Meeting on 6 December 2016

Chairperson: Anna Perry, Workplace Relations Commission

Attendance:

TEACHERS' SIDE	MANAGERIAL SIDE	OFFICIAL SIDE
INTO: Sheila Nunan Noel Ward John Boyle	ETBI: Deirdre Keogh Patricia McDermott	DES: Kevin McCarthy Philip Crosby Tara Carton Martin Moroney Majella O'Dea Cillian Fearon
ASTI: Kieran Christie Ger Curtin Diarmaid de Paor	JMB: John Curtis	DPER: Aoife Collier
TUI: John Mac Gabhann Joanne Irwin Annette Dolan Declan Glynn	ACCS: John Irwin	
	CPSMA: Sinead Brett	

Both sides have a Correspondence Secretary with minutes of meetings jointly agreed. The Council is chaired by personnel from the Workplace Relations Commission. The scheme operates under the terms of the Revised Scheme of Conciliation and Arbitration for Teachers. Meetings of the full Council normally take place bi-monthly with sub-committee structures facilitating the on-going business of the Council in the intervening periods of time. Council meetings are normally preceded by a meeting of the Official (Management) side where discussions are focused on the merits of claims submitted by the Teacher Trade Unions.

Existing Claims

Claim 437/14

Claim for payment at the personal qualified rate of pay in respect of hours taught on an obligatory basis in excess of 167 days/735 hours.

(TUI)

The Staff side stated that the submission was complete and would be forwarded to the Official side.

Claim 439/15

Claim for compensation for loss of earnings in the period following return to school by seconded teachers on DES schemes.

(INTO, ASTI, TUI)

The Official side will provide dates for a meeting on the issue.

Claim 441/15

Claim for establishment of an occupational injury scheme for teachers.

(INTO, ASTI, TUI)

The Official side will provide dates for a meeting on the issue.

Claim 442/16

Payment of environmental allowance, which is currently paid to Prison Officers in Portlaoise Prison to be extended to teachers working in the Education Unit in Portlaoise Prison.

(TUI)

The Official side will provide dates for a meeting on the issue. The Staff side requested a response to the claim by the next TCC.

Claim 443/17

Claim for payment of standard public service travel expenses to substitute teachers serving schools clustered for purposes of facilitating teaching principal non-teaching work days.

(INTO)

The Official side proposed that the teachers concerned be treated in the same manner as GAM/EAL (learning/languages support) and resource teachers working in cluster arrangements as per circular 0009/2015. This would be discussed bilaterally.

Reports from Sub-committees

Probation Management

The Official side advised the Council that there was no update on this issue since the last meeting.

Payroll Technical Issues

The Official side advised the Council that a meeting was held on the 12th of October 2017 and items were being followed up on. The Staff side raised a concern in relation to the pension scheme issue on the teacher appointment form, i.e. the level of information being sought currently and the potential for greater levels of information being sought in the future.

Principal and Deputy Principal Appeals

The Staff side stated that the Unions and Management had a meeting and were to discuss proposals with their respective Executive Committees.

Supplementary Panel (Post Primary) (ASTI)

The Official side will provide dates for a meeting on the issue. The INTO stated their wish to be included in the meeting.

Refund of Fees Provisions for Teachers undertaking third level courses

The Staff side asked whether the review had commenced. The Official side responded stating that the review was due to start this quarter.

Section 28 of the Education Act 1998

The Official side forwarded the item to the relevant line section and asked that section to organise a meeting on the issue. The Official side stated that the Bill was at the Pre-legislative scrutiny stage.

Partial Absences (ASTI)

The Official side stated that a draft circular on partial sick leave absence would be issued shortly. Separately, the Staff side expressed concern regarding Junior Cycle management hours being recorded on the system as school

business absence. The Management bodies stated that this did not affect the individual teacher's sick leave record or absence record. They stated that this interim solution was satisfactory from their perspective pending any amendments to the OLCS.

H. Dip. Allowance. (TUI/ASTI/INTO)

The DES stated that DPER had stated at the last Council meeting that this issue falls to be considered under the PSSA by the parties to that agreement

Compulsory Retirement Age for Teachers (TUI/ASTI/INTO)

The Official side is discussing the issue with DPER

Incremental Credit Circulars/Scheme Review (TUI/ASTI/INTO)

The Official side stated that it is still reviewing the material. They pointed out that if a review of the scheme is to take place, DES and DPER would want to raise issues also. They stated that they would consider holding a sub-committee meeting

Adjudication Finding on Secure Unit Allowance of 25 October 2016. (TUI/ASTI/INTO)

There was no update on this item since the last meeting

Leave for living kidney donors. (TUI/ASTI/INTO)

The Official side stated that it was awaiting the publication of a circular by DPER on this issue and would continue to operate the current ad hoc arrangements until then. It was agreed to remove the item from the agenda

Anomalous situations of teachers on pre-2011 scale, and on post-February 2012 allowance conditions. (TUI/ASTI/INTO)

The Staff side stated that there were cases, which they would forward to the DES.

Bereavement Leave – Extension to Teachers of terms of DPER Circular 01/2017. (ASTI, INTO, TUI)

The Official side stated they have no update at this time

Change to the IHR added years for Job Sharers. (ASTI, INTO, TUI)

The Official side stated they had received clarification from DPER on the application of the Circular which stated that DES were applying the rule correctly. The Official side stated that they would forward the details of the clarification to the Staff Side

Implications of shared services proposal for the ETB sector. (TUI)

The Official side suggested dates for a meeting

Acting Principal posts/the role of the Deputy Principal. (TUI)

The Staff side stated that there was confusion around the requirements of the Deputy Principal role, particularly where there is more than one Deputy Principal in a school. ETBI stated that it would meet with TUI on the issue. Other management bodies expressed concern that the agenda item was being widened beyond the ETB sector and asked the Staff side to outline their specific issues

Leave with substitute cover for Purposes of Voluntary Search and Rescue Commitments. (TUI/ASTI/INTO)

The Official side stated that the information was being reviewed

Disciplinary Procedures – ETB High Court decision.

The Official side stated that there needed to be a review of procedures, both the Section 24 (3) procedures and the bullying and harassment investigative procedures. The Official side proposed a meeting and will arrange dates. The Official side stated that there was a need for operable procedures and that some recent court cases may have an impact on any further discussions

Breastfeeding breaks for teachers. (ASTI/INTO/TUI)

The Official Side stated that they are still reviewing the information. The Staff side stated that they are looking for the same procedure that applies to the Civil Service and that there should be no extra cost in implementing it

Voluntary Redeployment Scheme Extension Nationwide. (ASTI/TUI)

Discussed with item 6

Resourcing of Teacher Induction (ASTI/INTO/TUI)

The Staff side expressed concern about DES's view of the union's role in relation to policy decisions of the Teaching Council. They stated that they had a legitimate role in relation to implementation and resourcing of policies in order to protect their members' interest. The DES stated that they had consistently engaged with the unions on many issues and acknowledged the function of unions to negotiate for their members in Industrial relations matters.

Premature Births and Paid Maternity Leave - Implementation of October 1st Extension. (INTO)

The Staff side asked the Department of Education and Skills to confirm that the recently announced extension of paid maternity leave in the case of premature births would be applied to teachers in the same manner as paid maternity leave is currently applied. The Official side stated that they intend to implement the Government decision but would have to wait until they received guidance from the relevant Departments. They stated that they would keep the parties updated on the issue.

*Mr. John Irwin, General Secretary, ACCS,
Representative on the Teachers' Conciliation Council.*