

INDUSTRIAL RELATIONS FRAMEWORK FOR ACADEMIC STAFF IN INSTITUTES OF TECHNOLOGY

1. Purpose

The purpose of the framework is to provide means acceptable to the parties concerned for dealing with claims and proposals relating to salaries and other emoluments and the conditions of service of academic staff and other education grades as specified in paragraph 3 below in the Institutes of Technology. The framework shall consist of a Negotiating Forum, facilitation under the auspices of the Labour Relations Commission and referral to the Labour Court where agreement has not been reached. Matters appropriate to the Forum will be dealt with exclusively through the Forum.

2. Parties to the Forum:

The parties to the forum will be;

- (i) Minister for Education and Science
- (ii) Minister for Finance
- (iii) Managerial authorities of the Institutes of Technology
- (iv) The Teachers' Union of Ireland.

The parties at (i) to (iii) above shall be known as the Official Side and the Teachers' Union of Ireland shall be known as the Staff Side. Procedures to be implemented by the representatives of the Department of Education and Science, Department of Finance and the Managerial Authorities in formulating, presenting, commenting on, negotiating and agreeing a response at the forum will be agreed by the parties concerned.

3. Scope

The forum will comprehend the following

- (a) academic grades in the Institutes of Technology whose posts are approved and whose pay and emoluments are approved and funded by the Department of Education and Science
- (b) other education grades as agreed from time to time by the parties to the scheme

4. Participation

Only the parties listed in paragraph 2 above will be eligible to take part in the operation of the Forum. In this context the management authorities in Institutes of Technology recognise the sole negotiation rights of the Teachers' Union of Ireland.

5. Forum Representation:

The parties to the forum will determine their own representation.

6. Chairperson/Deputy Chairperson:

The Chairperson/Deputy Chairperson of the forum shall be an appropriate member of the staff of the Labour Relations Commission and shall be nominated by the Ministers having consulted with the parties to the forum.

7. Secretarial Services:

The Department of Education & Science shall provide a Secretary to the forum.

8. Procedure:

Meetings will be held as follows:

1. One meeting per academic term.
2. The Chairperson shall, at the request of one of the parties, call further meetings to discuss a matter / matters which s/he feels is/are urgent and relevant to the work of the forum.

9. Sub-Committees:

The national forum may establish sub-committees to consider and report to it on any subject which is appropriate for discussion by the forum. Such sub-committees will be chaired by the Chairperson or by an official of the Department of Education and Science agreed by the parties and their membership will reflect the membership of the forum.

The parties will select their own nominees to such sub-committees.

10. Subjects for Discussion

The subjects appropriate for discussion at the Forum will be:-

- (a) principles governing and claims relating to salaries, allowances, expenses and other emoluments of serving members of grades specified at paragraph 3 above;

- (b) principles governing and claims relating to the express terms and conditions of employment of serving members of grades specified at paragraph 3 above;
- (c) principles governing and claims related to the recruitment, promotion and grading of members of grades specified at paragraph 3 above and the proportion of part-time and temporary lecturing staff in service;
- (d) principles governing and claims relating to superannuation;
- (e) any subject, which all parties agree, is appropriate for discussion at the Forum

Where any doubt has arisen as to the interpretation of a recommendation or an agreement of the Forum the matter may be re-submitted to the Forum for clarification. A sub-committee of the Forum may be established to deal with such matters.

11. Individual cases

Claims by or on behalf of individuals are excluded from the scope of the forum. An individual serving in a grade covered by the forum will continue to have the right to submit in writing through the normal channels any statement s/he may wish to make to his or her employer on any matter affecting his/her official position or, if appropriate to have the matter pursued through appropriate grievance or disciplinary procedures.

12. National Forum Procedures:

The national forum will endeavour to resolve the issues before it and conclude an agreement. However, at the request of one of the parties, disagreement may be recorded.

13. Labour Relations Commission

Issues on which disagreement has been recorded may be referred for facilitation to the Labour Relations Commission at the request of any party.

14. Labour Court

If issues which have been referred to the Labour Relations Commission cannot be resolved at that forum the Industrial Relations Officer may be requested by either party to submit the issue to the Labour Court for its consideration and recommendation.

15. Confidentiality

The proceedings of the forum and its sub-committees will be confidential and no statements concerning them will be issued except with the permission of the forum.

16. Prohibition on Industrial Action

The Trade Union shall not sponsor, support or resort to strike, industrial action, including work to rule or other restrictive practices as a means of furthering claims in relation to matters which are appropriate for processing through this industrial relations framework where all provisions of the framework have not been exhausted.

17. Resolution

All parties are committed to the effective functioning of the framework, to promoting industrial harmony and to using the framework to resolve issues in co-operative and peaceful manner.

18. Review

This framework may be reviewed by the parties after two years in operation

29th August 2002

Procedures

1. One meeting shall be held per academic term. The Chairperson may, at the request of one of the parties, call further meetings to discuss a matter/matters which s/he feels is/are urgent and relevant to the work of the forum.
2. It will be open to any party to request the placing of any matter which they believe to be within the province of the Forum on the agenda for the next meeting of the Forum. This should be done at least two weeks before the meeting. The question whether items put forward are appropriate for discussion by the Forum will be a matter for the Chairperson to decide, but before any such item is excluded, the Forum will be given an opportunity of expressing its views as to whether it should be included or excluded.
3. An agenda will be circulated one week in advance of each meeting.
4. Where discussions have been completed agreed reports will be prepared which may record agreement or disagreement on issues raised. Such reports will be available to the Facilitator.
5. These procedures may be altered by agreement of all the parties.