

# **Labour Court tells Department of Education to pay €60 000 Compensation to ex-employees of St Catherine's College of Education**

28 August 2008

The Labour Court has recommended that the Department of Education should pay €60,000.00 to four members of the Irish Federation of University Teachers who were given early retirement when St Catherine's College of Education for Home Economics, Dublin closed in August 2007.

The Labour Court issued its decision having found that "there was a level of inadequacy" in the Department's role in helping the claimants to find alternative positions when the college closed. Therefore the Court upheld IFUT's claim that the decision to remove the claimants from the payroll was "unfair in the circumstances".

This is the second time the Department's handling of the closure of St Catherine's has been successfully challenged by IFUT.

Earlier this month (5 August 2008), a Rights Commissioner ruled in favour of the union's claim that two temporary lecturers in St Catherine's were entitled to the same enhanced pension arrangement and ex-gratia redundancy as their permanent colleagues.

The decision to close St Catherine's College was taken by the then Minister for Education, Noel Dempsey, in defiance of two reports that he had commissioned, each of which had recommended against closure. His successor, Mary Hanafin, refused to overturn the decision and personally refused to pay the temporary workers what IFUT claimed to be their legal entitlement. Minister Hanafin also refused IFUT's request to meet her to discuss the "inept" and "harsh" manner in which her Department was handling the closure.

Last year (August 2007), the Department was also told by the Labour Court to increase the amount of redundancy payments it was offering to other St Catherine's staff affected by the closure.

These latest rulings by the Labour Court and the Rights Commissioner were welcomed by IFUT's General Secretary, Mike Jennings.

"In our written submission to the Labour Court we said that 'the Department's handling of the closure of St Catherine's over its entire four year period was characterised by ineptitude and, especially in the final stage, a completely unjustified and inexplicable level of harshness to all concerned'. I believe the Labour Court's recommendation reflects that situation," Mr Jennings said.

The ruling by the Rights Commissioner has important implications for all temporary workers who are caught up in a redundancy situation, said Mr Jennings. "The legal right to equal treatment to that given to their permanent colleagues has once again been upheld.

"Regarding the €15,000.00 awarded to each of our four members, this was a recognition that, as tenured employees, the Department had an obligation to them to help them find alternative employment when the college closed. The Labour Court agreed with IFUT when we said that simply threatening to remove them from the payroll if they did not opt for 'voluntary' early retirement was 'unfair'."

"It is a great pity that Minister Hanafin refused all our requests to meet and to discuss a better way of handling this closure. If she had, a lot of unnecessary hurt could have been avoided for people who gave many years of loyal and dedicated service to this much-missed College of Education, " Mr Jennings said.

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