

Irish Federation of University Teachers

IFUT
2011

Cónaidhm Éireannach na Múinteoirí Ollscoile

IRISH FEDERATION OF UNIVERSITY TEACHERS

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CÓNAIDHM ÉIREANNACH NA MÚINTEOIRÍ OLLSCOILE

IFUT 2011

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GENERAL INTRODUCTION

I have the honour and privilege to present this, my 5th Annual Report to an Annual Delegate Conference of IFUT.

Napoleon Bonaparte is reputed to have said that the characteristic which he valued most amongst his Generals was that they would be lucky. The combination of pleasure and pride which I derive from my role as General Secretary of this fine union is ruefully tempered with a sense that I am unlucky once again to have to report that we have had a difficult and a challenging year. Yet again our balance sheet of successes is characterised more on the credit side by reflections on damage mitigated and harsher treatment being deflected or postponed than victories won. Nevertheless, damage – limitation successes are still successes for all that and we should have no hesitation in reminding our members (and those who should be members) that were it not for the week-in/week-out hard work of IFUT and its activists, matters could and would be considerably worse.

There is no doubt whatever that 2010/2011 was the year of 'Croke Park'. The shadow of this deal – and its implications for higher education – hung over us all like the giant canopies of the Hogan and Cusack Stands. I have dealt with 'Croke Park' in the body of this report and will not duplicate those words here other than to say this; its original wording (and even more so in the fantastically invidious elaboration of it produced by the IUA) there was the potential for almost unimaginable damage being done to the entire ethos and essential characteristics of universities and higher education generally. As I write, the process of filtering out the worst of these components is ongoing. However, I can confidently predict even at this stage, that when this work is done it will be seen that it was IFUT- and IFUT alone – which held the pass and defended the core values of our sector and profession.

Readers of the report which follows would be struck by the grim reality of another phenomenon i.e. the relentless drive to casualise and make precarious the employment of those who deliver a world-class system of higher education to Irish society. The number of cases taken under the legislation relating to fixed-term and also part-time staff, is truly remarkable. Thankfully, what is also remarkable is the level of success we have enjoyed in these disputes. Nonetheless, it is glaringly, almost dauntingly, obvious that these assaults on security of employment will continue and perhaps even intensify. 'Almost but not quite', because IFUT will not be daunted in this work.

At a time of severe and sometimes callous reductions in staffing numbers (callous in the sense of insensitivity to need and demand) we are quite entitled to be proud that, against these odds, and almost uniquely amongst Irish trade unions, we have delivered a modest increase in membership numbers. This is a vital area which will require even greater efforts in the years to come. It is said that there is a consolation in coming through hard times because you discover your strengths. Our hard times are not over yet, but the members and voluntary activists and the small staff of IFUT have reason to be proud of the strength of our performance. An ADC should be an occasion to take stock and to celebrate achievement. Let us not fail to do both.

I. REMUNERATION/PAY AGREEMENTS

1. Public Service Agreement/'Croke Park'

There is no doubt whatever but that the whole 'Croke Park' agenda was the main item overhanging all discussions and deliberations in IFUT in the year in review.

Shortly after the 2010 ADC the All-Members Ballot Vote on the 'Croke Park' Proposals resulted in the following outcome

Total Ballots Issued	2,055
Total Ballots Returned	820 (39.9%)
Those in Favour	265 (32.32%)
Those Against	555 (67.68%)

Although the turnout was relatively unimpressive, the decision to reject was quite emphatic. It was clear to the Executive that the main reason why our members rejected was because of the unspecified and potentially unlimited implications of 'Croke Park', as currently worded, for the conditions of employment of our members and indeed for the entire ethos of the academic way of life. At the time of our vote the members of the ASTI and the TUI took similar decisions. However, one by one all other unions including these two teacher unions have now endorsed 'Croke Park' and IFUT at the time of writing is the last union outside of this "tent".

The Executive accepted an invitation from the Department to attend clarification talks. Our motivation was to try to eliminate the uncertainties and to enhance the positives and mitigate the negatives in the Agreement. The first meeting with the Department took place on 3 September 2010 and this was followed by a second meeting three months later on 3 December 2010. At the latter meeting the Department told us that the universities wished to engage with us on a university by university basis. We agreed to this with some scepticism.

As it turned out the situation hardly moved forward by any measure at all thereafter. With the exception of NUIG where there was quite an advanced degree of negotiation, all of the other universities engaged in a minimal manner and there was no possibility of an agreement.

This situation, which was demonstrably not of IFUT's making, was used by people with certain agendas to try to portray in the media an image of us as being aloof and irresponsible and not engaged with the real world. Counteracting such negative messages has been a fully demanding job for the last number of months. However, we can be confident that our message has got through, at least to those who are prepared to hear it. In recent days the Department of Education has requested that the talks be "recentralised". At the time of

writing a meeting has been arranged and a vote will be taken at the ADC on the whole question of our future strategy concerning 'Croke Park'.

II. CONDITIONS OF EMPLOYMENT

1. Contract Researcher, NUIM

Our claim for equal treatment in respect of redundancy pay was upheld by a Rights Commissioner and subsequently by the Labour Court in a legally binding Determination and all monies due including compensation, were finally paid to the member concerned.

2. Dispute Arising from Promotions, SPD

Our claim on behalf of three members that they were victims of age discrimination in the Promotion Round in 2007 was finally heard in the Equality Tribunal over two separate Hearings. A ruling is now awaited.

3. Academic Freedom, TCD

The document on Academic Freedom drawn up by our TCD Branch was finally adopted by the University Council. Congratulations are due to all concerned for this important development.

4. College Language Teachers, UCC

The longstanding dispute regarding the creation of a Post of Responsibility was finally resolved to our satisfaction. UCC also conceded a claim in respect of pension recognition for previous service in relation to two members.

5. Regularisation of Lecturers' Contracts, Geography Department, UCC

Following an LRC Conference this matter was resolved to the satisfaction of the members concerned.

6. Milltown Institute of Theology & Philosophy

A redundancy situation which would have compromised the tenured status of one of our members was resolved to our full satisfaction. Discussions have proceeded locally to deal with other issues arising from the scheduled closure of the Institute.

7. Cases under the Fixed-Term Workers' Act 2003

7.1 UCC - Claim for a Contract of Indefinite Duration and Reinstatement after Redundancy

After a Rights Commissioner Hearing and two full Labour Court Hearings a Determination of this claim is imminent and we have reasons to be optimistic.

7.2 TCD - Claim for a Contract of Indefinite Duration We won this case before a Rights Commissioner. However, when TCD signalled their

intention to ignore the ruling and proceed with a redundancy we referred the case to the Labour Court which once again found in our favour. We remain in dispute with TCD over their continued defiance of this ruling.

7.3 UCC - Two Claims for Enhanced Redundancy The Rights Commissioner Decision in these two cases was that “the sectoral norm [as claimed by IFUT] has been well and truly established”. UCC, on instruction from the Department of Education, has appealed this case to the Labour Court and a Hearing is scheduled for May 2011.

7.4 MICL - Claim for Enhanced Redundancy In response to a claim in MICL which was identical to that in 7.3 above, the Department of Education instructed MICL Management not to concede the claim and to seek “more information”. This is clearly a delaying tactic as the Department itself had been centrally involved in the appeal against the claim in UCC referred to 7.3.

7.5 UCD - Claim for a CID We are awaiting the decision of a Rights Commissioner on this case where one of our members was forced to seek employment elsewhere when she was wrongly denied a CID. We are seeking her reinstatement.

7.6 UCD - Claim for a CID in School of Nursing & Midwifery UCD conceded this claim in advance of a Rights Commissioner Hearing.

7.7 UCD - Claim for a CID in School of Physiotherapy This claim was conceded by UCD in advance of a Rights Commissioner Hearing.

7.8 UCD - Claim for a CID in School of Computer Science & Informatics This claim is awaiting a Rights Commissioner Hearing.

7.9 TCD - Claim for a CID in School of Medicine This claim is being referred to a Rights Commissioner.

7.10 NUIG – Claim for Enhanced Redundancy and Full Recognition of All Aspects of a CID – Researchers This claim – which involves NUIG granting CID status in name only but not in reality – has been referred to a Rights Commissioner and has been raised with other Congress unions as a breach of the stated public policy that permanent public servants are not liable to compulsory redundancy.

7.11 UCC – Two new claims for Enhanced Redundancy have been referred to a Rights Commissioner.

8. Denial of Normal Salary Progression

We are in dispute with TCD, UCC and CICE because, in an overly strict interpretation of the ban on promotions, they have interfered with normal (non-promotional) progression. All three disputes are with the LRC.

9. Unfair Dismissal, RCSI

Despite the fact that this dismissal occurred over two years ago and despite us winning the case before a Rights Commissioner, we are still awaiting the outcome of an Employment Appeals Tribunal Hearing.

10. Closure of St Catherine’s College of Education for Home Economics

The final claim arising from this closure in 2007 was dealt with. We sought the application of a Labour Court award of higher severance compensation to one additional ex-employee. The Labour Court decided that the cases were not sufficiently similar and declined to make the award. The Recommendation was binding on all parties.

11. Non-Payment of Exam Fees, UCC

This matter was resolved to our satisfaction following an LRC Conciliation Conference.

12. Incorrect Calculation of Salary Deductions in respect of November 24th 2009 Stoppage

This issue was discussed at an LRC Conciliation Conference but no agreement was reached. A full Hearing in the Labour Court is awaited.

13. Mater Dei Institute, Changes to Pension Scheme

IFUT participated in talks to amend the Dublin Archdiocese Pension Scheme which covers MDIE. IFUT is still pursuing the inclusion of Mater Dei in the Public Service Pension Scheme.

14. Unfair Changes to Promotions Criteria, UCD

This claim having been to an LRC Conciliation Conference is now awaiting a full Labour Court Hearing.

15. Part-time Workers’ Act, TCD

We are awaiting a Rights Commissioner’s Recommendation on a claim that TCD is not entitled to insist that an employee return to part-time work.

16. Election of Provost, TCD

We argued that the exclusion of part-time staff from the voting register was a breach of the Part-time Workers’ Act. Unfortunately the claim could not be processed through procedures in time to secure changes for the recent election.

17. Unilateral Withdrawal of Head of School Allowance, UCD

We secured a Labour Court Recommendation that the member concerned should have this allowance restored. This issue is still unresolved due to the negotiations between UCD and the HEA.

18. Age Discrimination in Pension Scheme, TCD

This long-running claim is still in process.

19. Ex-Carysfort Staff, NUIM & TCD

Claims regarding pension calculations are being dealt with by our legal advisors.

20. Age Discrimination Cases, UCD

Three cases alleging discrimination on age grounds were in process during the year. Although these cases were not initiated or directed by IFUT, the General Secretary has been providing assistance to each of the claimants. Claim number one resulted in the award of €5,000 to the member denied promotion. Claim number two also concerning denial of promotion was unsuccessful at Equality Tribunal level and the matter is now awaiting the outcome of a Labour Court Appeal. Claim number three – this claim is still awaiting a Hearing at the Equality Tribunal.

21. Other Claims

Numerous claims of an individual and/or confidential nature were pursued in UCC, UCD, TCD, NUIM, MICTL, DIAS and NUIG.

III. GENERAL CONTACTS

1. Irish Congress of Trade Unions

1.1 The General Secretary continued as a member of the Congress Executive Council and of the ICTU Public Services Committee. IFUT is also represented on the following committees:

Health & Safety Advisory Committee: Mike McKillen, TCD.

Retired Workers' Committee: Colum Ó Cléirigh, SPCD.

Solidarity Committee: Iain Atack, TCD.

Task Force on Bullying in the Workplace: Kevin Davison, NUIG; Rosarii Griffin, MICTL; and Brian Ó Curnáin, DIAS.

2. Commission on the Future of the Irish Trade Union Movement

IFUT has participated in this process and made a written submission.

3. Congress Research Unit

Congress has agreed to be a benefactor of the Unit and therefore has a seat on the Board.

4. Teacher Unions

Co-operation between all four unions (ASTI, IFUT, INTO and TUI) has remained very strong but, inevitably, nearly all of our combined energies has been devoted to the 'Croke Park' agenda and little time has been available to make progress on the issue of closer structural co-ordination.

5. Trades Councils

Our representatives on Trades Councils are as follows:

Dublin Council of Trade Unions: Hugh Gibbons, President.

Cork Council of Trade Unions: Michael Delargey, UCC.

Galway Council of Trade Unions: Liam Carroll, NUIG.

Kildare Council of Trade Unions: Rose Malone, NUIM.

Limerick Council of Trade Unions: Tony Bonfield, MICTL.

6. International Work

6.1 BIGTU IFUT plays an active influential role in the British and Irish Group of Teacher unions which meets twice per year.

6.2 HERSC The Higher Education and Research Standing Committee of Education International is probably the most important international body representing the interests of higher education staff. IFUT has played a prominent part in HERSC ever since its foundation and we continue to be very involved and engaged in its deliberations.

6.3 ETUCE/EIPES The amalgamation of these two structures (the European Trade Union Committee Education Sub-Group and the Education International Pan-European structure) was finally achieved this year after many attempts and several setbacks.

6.4 EQAR Dr Daire Keogh, SPD is the EI nominee on the European Quality Assurance Register.

6.5 TUAC TUAC is the Trade Union Advisory Committee of the OECD. Meetings are held twice per year and IFUT has attempted to be represented at as many of them as possible.

7. SCOTENS

Dr Marie Clarke, UCD is the nominee of IFUT on this body.

8. Education International First World Women's Conference

IFUT was represented at this historic conference by the General Secretary and Dr Rose Malone, NUIM.

9. National Qualifications Authority Ireland

Colum Ó Cléirigh, SPD represents IFUT on the NQAI.

IV. EDUCATION & RESEARCH

1. National Strategy for Higher Education (Hunt Report)

IFUT made a written submission to this body and met with the representatives of the body on two occasions. The report when published was widely regarded as a major disappointment and it reflected the lack of real dialogue and engagement with the major stakeholders in higher education, most

especially the superficial level of consultation with staff interests.

2. Oireachtas Joint Committee on Education

IFUT was invited to make a presentation to the Oireachtas Committee on the topic of Curriculum Reform. We made a written submission and the General Secretary and Dr Marie Clarke, Incoming President addressed the Committee. Proceedings of the Committee are available on the Oireachtas website.

3. Higher Education Authority

Despite an active campaign by IFUT, the previous Minister for Education (Ms Mary Coughlan TD) declined to appoint our nominee on to the HEA.

4. National Council for Curriculum & Assessment

Rose Malone, NUIM and Michael Delargey, UCC are the two IFUT representatives on the NCCA Council. Michael Finneran, MICL sits on the Early Childhood & Primary Education Committee.

5. European Sectoral Social Dialogue for Education

After many years of effort the Social Dialogue Structure has now been set up. The General Secretary represents the Irish Trade Unions on the Higher Education Sub-Group.

responsibility to each member and the portfolios allocated were as follows:

IFUT Website: David Murphy, UCD

Cursaí Gaeilge: Breandán Ó Cochláin, NUIG

Tenure & Related Matters: Liam Dowling, TCD.

Equality: Colmán Etchingham, NUIM

International Issues: Daire Keogh, SPCD

Recruitment: David McKeon, CICE

Administration & Finance: Hugh Gibbons, TCD

Publications: Anthony Harvey, RIA and Deirdre McMahon, MICL

Services to Members: Joe Brady, UCD

Bologna Process: Deirdre McMahon, MICL

The following **Trustees** were elected at the 2010 ADC: Gerard Jennings, NUIG; Colum Ó Cléirigh, SPD. Donal Fitzsimons, UCD was elected to the third Trustee position at the first Council meeting of the session which was held on 30 October 2010.

3. Council

The Council met three times during the year.

4. Appointment of an Assistant General Secretary

After a very long period of discussion and planning I am very pleased to advise that we will shortly be engaging the services of an Assistant General Secretary on a part-time basis. It is hoped to be in a position to give the name of the new AGS at the conference.

V. ORGANISATION & COMMUNICATIONS

1. Membership

The total membership of IFUT is 2,060 compared to 2,055 last year. The breakdown of this is as follows (last year's figures are in brackets): 1,489 (1,548) on higher rate of subscription, 124 (135) on lower, 27 (44) on leave of absence and 420 (328) retired. Details of Branches are given in Appendix A.

2. Executive and Trustees

The Executive met 12 times during the course of the year.

The Members of the Executive are as: Hugh Gibbons, TCD (President); Liam Dowling, TCD; Marie Clarke, UCD; Joe Brady, UCD; David Murphy, UCC; Breandán Ó Cochláin, NUIG; Colmán Etchingham, NUIM; Daire Keogh, SPCD; Deirdre McMahon, MICL; Anthony Harvey, RIA and David McKeon, CICE.

At a meeting of the Executive held on 31 May 2010 Dr Daire Keogh of SPCD was unanimously re-elected as Vice President-Finance.

The Executive also agreed to continue the practice of allocating a specific area of

*Mike Jennings,
General Secretary,
16 April 2011*

IFUT Initials

AH	All Hallows College
CB	Central Branch
CICE	Church of Ireland College of Education, Rathmines, Dublin
CITC	Church of Ireland Theological College
DDH	Dublin Dental Hospital
DIAS	Dublin Institute for Advanced Studies
HRB	Health Research Board
MDIE	Mater Dei Institute of Education
MICL	Mary Immaculate College, Limerick
MITP	Milltown Institute of Theology & Philosophy
NUIG	National University of Ireland, Galway
NUIM	National University of Ireland, Maynooth
RCSI	Royal College of Surgeons in Ireland
RIA	Royal Irish Academy
ST C	St Catherine's College of Home Economics, Sion Hill, Dublin
SPD	St Patrick's College, Drumcondra, Dublin
SPM	St Patrick's College, Maynooth (Pontifical)
TCD	Trinity College Dublin
UCC	University College Cork
UCD	University College Dublin

APPENDIX A

BRANCHES, BRANCH SECRETARIES & CENTRAL BRANCH CONVENORS 2010/11

(First figure in brackets, current membership; second figure, last year's.)

- 1 Trinity College Dublin (380/403) & Dublin Dental Hospital (15/16)**
Secretary – Aidan Seery, Education
DDH Contact - Frank Houston, Restorative Dentistry
- 2 University College Dublin (394/391)**
Secretary – Russell Higgs, Mathematics
- 3 University College Cork (452/434)**
Secretary – Angela Flynn, Nursing & Midwifery
- 4 National University of Ireland, Galway (107/95)**
Secretary – Kevin Davison, Education
- 5 National University of Ireland, Maynooth (240/243)**
Secretary – Muireann Ní Bhrolcháin, Old Irish
- 6 Royal College of Surgeons in Ireland (69/67)**
Secretary – Elizabeth Doyle, Student Affairs
- 7 St Patrick's College, Drumcondra (150/143)**
Secretary – Orla Nic Aodha, Library
- 8 Church of Ireland College of Education (16/17)**
CICE Convenor – Éamonn McCauley, Special Education Needs
- 8 Mary Immaculate College, Limerick (150/153)**
Secretary – Deirdre McMahon, History
- 9 Central (87/93)**
ALL HALLOWS COLLEGE (1/1)
Convenor – Bernadette Flanagan, Spirituality
CHURCH OF IRELAND THEOLOGICAL COLLEGE (1/1)
Convenor – Patrick Comerford, Spiritual Formation
HEALTH RESEARCH BOARD (3/3)
Convenor - Joan Byrne, Microbiology
DUBLIN INSTITUTE FOR ADVANCED STUDIES (14/17)
Convenor (Senior Professors/Registrar Group) - Fergus Kelly, Celtic Studies
Convenor (Non-Sen. Prof. Staff Group) – **No Convenor**
MATER DEI INSTITUTE OF EDUCATION (28/27)
Convenor – Noel Jackson, IT Services
ROYAL IRISH ACADEMY (20/21)
Convenor - Anthony Harvey, Dictionary of Medieval Latin from Celtic Sources
MILLTOWN INSTITUTE OF THEOLOGY & PHILOSOPHY (9/11)
Convenor – Gesa Thiessen, Systematic Theology
ST CATHERINE'S COLLEGE OF EDUCATION FOR HOME ECONOMICS - c/o Head Office (10/11)
EX-CARYSFORT - c/o Head Office (1/1)

APPENDIX B

COUNCIL & EXECUTIVE 2010/11

*(Executive: President and 8 Members)

BRANCH ENTITLEMENT

DEPARTMENT

TCD 7/9 + Pres

Dónall A. MacDónaill
*Hugh Gibbons (Pres)
Aidan Seery
Pat Wall
*Liam Dowling
Darryl Jones
Mícheál O'Siochrú
Cormac Ó Cuilleanáin

Chemistry
Computer Science & Statistics
Education
Education
Electronic & Electrical Engineering
English
History
Italian

UCD 9/9 + Incoming President

Paddy O'Flynn
John Dunnion
*Marie Clarke (Incoming Pres)
Donal Fitzsimons
Maureen Killeavy
*Joe Brady
Russell Higgs
Regina Joye
Rita Collins
Gerard Casey

Chemical Engineering
Computer Science
Education
Education
Education
Geography
Mathematics
Nursing & Midwifery
Nursing & Midwifery
Philosophy

UCC 8/9

Michael Creed
*David Murphy
Adrian O'Riordan
Michael Delargey
Dylan Evans
Tom Andrews
Angela Flynn
Bridget McAdam-O'Connell

Civil & Environmental Engineering
Computer Science
Computer Science
Education
Medicine
Nursing & Midwifery
Nursing & Midwifery
Sociology

NUIG 5/5

*Breandán Ó Cochláin
Kevin Davison
Catherine Emerson
Seán Tobin
Agnes Tully

Chemistry
Education
French
Mathematics
Nursing

NUIM 7/7 + 1 alternate

Joe Cleary
Éamon Ó Ciosáin
Gavan Titley
*Colmán Etchingham
Aileen O'Carroll
Muireann Ní Bhrolcháin
Colin Coulter
Peter Murray

English
French
Media Studies
Modern History/Old Irish
NIRSA
Old Irish
Sociology
Sociology

RCSI 0/4

MICL 5/6

Tony Bonfield
Michael Finneran
Rosarii Griffin
*Deirdre McMahon
Patrick Connolly

Education
Education
Global Development through Education
History
Theology & Religious Studies

SPCD 6/6 + 1 alternate

Pat Burke
Eugene McNulty
*Daire Keogh
Orla Nic Aodha
Colum Ó Cléirigh
John O'Flynn
Cora O'Farrell [*alternate*]

English
English
History
Library
Music
Music
Religious Studies

CICE 2/2

Lucy Turley
*David McKeon

Art
Education

CENTRAL 3/5

*Anthony Harvey
Joan Byrne
Gesa Elisabeth Thiessen

DMLCS, RIA
Microbiology, HRB-TCD
Systematic Theology, MITP

NOTE

In addition to the President ex officio, there were entitlements to 62 representative places, of which 52 were filled. Therefore, there were 52 people on Council out of a potential 62.

APPENDIX C

IFUT COMMITTEES & WORKING GROUPS 2010/11

Standing Committee

EQUALITY

Marie Clarke	Education, UCD
Maureen Killeavy (<i>Secretary</i>)	Education, UCD
Nóirín Ní Nuadháin	Adult Education-English, SPCD
Anne Clune	English, TCD
Catherine Emerson	French, NUIG
Grace Neville	French, UCC
Angela Ryan	French, UCC
Joan Byrne	Microbiology, HRB
Colum Ó Cléirigh	Music, SPCD
Noreen Kearney	Social Studies, TCD

APPENDIX D

IFUT AFFILIATIONS, MEMBERSHIPS & ASSOCIATIONS 2010/11

British and Irish Group of Teacher Unions (BIGTU)

Education International (EI)

& its EI Pan-European Structure (EIPES) *

& its Higher Education & Research Standing Committee (HERSC)

European Trade Union Committee for Education (ETUCE) *

Educational Studies Association of Ireland (ESAI)

IFUT-NIAC Liaison – (Nth Ireland Advisory Committee/University & College Union)

Irish Congress of Trade Unions (ICTU)

& its Councils of Trade Unions in Dublin, Cork, Limerick, Galway and Kildare

Irish Labour History Society (ILHS)

National Women's Council of Ireland (NWCI)

Network for Education and Academic Rights (NEAR)

People's College (ICTU)

Standing Conference on Teacher Education North and South (SCoTENS)

Society for Research into Higher Education (SRHE)

* These bodies have now agreed to amalgamate into one unified structure which will operate under the title "ETUCE".

B. PRESIDENTIAL ADDRESS

Dr Hugh Gibbons, Computer Science, TCD

Fraternal Delegates, Guests, Delegates, Colleagues and Friends, it is a great pleasure to welcome you to the Annual Delegate Conference of the Irish Federation of University Teachers. I would like to specially welcome our guest speakers, Professor Ulrich Teichler from the University of Kassel in Germany and Dr. Renée Prendergast from the University College Union (UCU), Queens University Belfast. In particular, I would also like to welcome Joan Donegan, the new Assistant General Secretary designate of IFUT.

Introduction

Education is an investment for the community, from pre-school to university and to lifelong learning. Education is an investment in knowledge. Societies advance via knowledge. In the early 60's the then Governor of California 'Pat' Brown and the President of the University California, Clark Kerr, implemented the California Master Plan for Higher Education. The aim was to guarantee access to third level education to all. This plan dramatically increased the numbers going to universities and state colleges and hence there was an enormous expansion of the higher education sector in California during the 60's and since then. The California higher education system is given credit for the great social and economic development of California that brought about, through the educated workforce, the successful industries such as pharmaceuticals, high technology, aero-space not to mention the military industry.

A more recent case of the value of higher education is the economic recovery of Finland after their financial meltdown in the early 1990s. During the meltdown Finland continued to invest heavily in higher education as the Finnish Government considered that education was the way to recovery. As a particular example, in 1990 the students at the University of Turku had not that much interest in studying electronic engineering and while the closure of the electronic engineering department was threatened the University decided to preserve it. Luckily it did as within a year or so Finland experienced the rise of Nokia and since then there is no shortage of students doing electronic related courses. Today Finland invests over 7% of GDP every year in education. Ireland invests 4.6%.

Ireland is also an example of a country that has had a dramatic expansion in its education system. Free secondary education was introduced in 1967 and free third level education in 1995. In 1980 about 15,000 started third-level, in 2009 there were about 42,500 new third-level entrants.

As a particular example, in 1990 there were 6,500 students in Trinity College including postgraduates, today there are over 16,500. The participant rate of students going onto third level is now 65%.

Universities are a success

It is rarely acknowledged by Government officials how successful and efficient the Irish University system is. While it was the case that Irish Universities operated at half the cost per student of comparable U.K. Universities, the Irish University sector is now giving even better value due to the cutbacks in wages and the recent increase in students entering University. Over the last two years due to the public service pay cuts, the pension levy (another pay cut), other levies and the recent universal social charge, the salary of academics has been cut by about 25%. These pay cuts are a big savings in the pay-bill of Universities and hence a big saving in the overall cost of running the Universities. There are other savings. Over the last two years, the Universities have cut staff numbers by 6%. Due to the Employment Control Framework (ECF) these staff were not replaced. This 6% does not include the staff who retired early under the Incentivised Scheme for Early Retirement (ISER). Like the ECF, the staff that retired under the ISER could not be replaced. There is now a drastically reduced number of academic staff in the Universities and most departments are struggling to overcome the reduced level of staff and some departments are near closure. Due to the ECF ban on promotions, many international academics who came to Ireland are now returning to their home country. There is no future for them in Ireland.

Also can be mentioned is that the public sector workers were never given the promised 3.5% due under the Towards 2016 agreement. Going back further to Benchmarking, the rank and file academics got the lowest pay rise under Benchmarking. The real gain for the Government then was the breaking of the long established relativity of University staff with the Civil Service who then got better Benchmarking awards as well as better increases since then. The Universities are now definitely more efficient and give better value. If one measures University performance by the number of students then the rise in student numbers over the last ten years has lead to a dramatically increased performance. The student number increase is not just undergraduate student numbers but also there has been a huge increase in postgraduate student numbers. Only 4 or so years ago, the grand plan was to double the number of PhDs by 2010. Over the last

year or so there has been another increase in student numbers. The recent increase in students going to University is due to the recession. As there are no job prospects for school leavers they are deciding to continue their education in third level.

Being able to provide cheap higher education is not necessarily something to boast about as the quality of education is now under threat. The efficiency and quality of the Irish Higher Education sector is acknowledged by the EU in a recent ECOFIN report.

- In terms of graduations the ECOFIN observes that Ireland has a good performance both in the number of graduates per 1000 inhabitants and per member of academic staff.
- Recruiters regard the Universities in Ireland as providing highly employable graduates.
- Considering their size, Finland, Ireland, and Sweden are the countries with more universities pointed out by peers as being excellent.

Research Profile

Ireland has had success not only in the number and quality of its graduates but it now has a successful research profile with many post doctorate students coming to Ireland to do research. In the early nineties, the Government considered that it was not their role to fund research. At that time Irish Universities got involved in European funded research and from its successes in obtaining European research grants they eventually persuaded the Government to publicly fund research. In 2000, Science Foundation Ireland was created and since then it has contributed resources to fund science and engineering research in Ireland. It is unfortunate that Arts and Humanities research was not similarly funded. This is not unique to Ireland. The Arts and Humanities are having difficult times in other countries as in Universities driven by the markets, there is not enough profit from research in the Arts and Humanities.

Hundreds of highly qualified researchers were recruited into the sciences and engineering. Ireland now ranks 8th out of 28 OECD countries in terms of research and this is more commendable considering that major public funding of research only began with SFI in 2000. Not that one should take heed of University rankings but many do and the Irish Universities have done remarkably well in the last few years; two Irish Universities have risen to be ranked in the top hundred with one being in the top 50. Considering the thousands of universities that are in the world this is viewed as a remarkable success. The Irish University sector performs well if given the resources. It is clear that the University sector has been a general success, unlike some other sectors such as the banks.

Damage to Universities

The University system is in for a change, in this case it is a change for the worse. The Government is about to damage a successful University system. What is more perverse is that at the same time the Government is damaging the University system, the Government is spending billions rescuing the incompetent banks. It is not the fault of the University system that the banks were reckless and some brave academics warned the Government of the reckless behaviour of the banks, yet the University system like the rest of normal society, who were blameless, ends up paying dearly for the banks rescue. Not only will our next generation be financially worse off with the burden of paying off the bank and other debts and worse off in living standards but they will also be left without the advances that education can bring.

What damage is been done to the University system?

The core grant to the Universities has been cut which has resulted in cuts in staff numbers and cuts in non-pay costs. The non pay cost cuts include cuts in student services along with such facilities as libraries and information systems.

Research Funding cuts.

While some SFI funding is maintained much of that is already committed and future research funding will be drastically reduced. The career structure for a university post doctorate researcher was never that good. Initially SFI did not pay the social costs such as pension contribution, holiday pay, maternity leave etc, associated with employment. Most researchers are on fixed-term contracts with a small number on Contracts of Indefinite Duration (CID). Many of these CID's have proved not to be indefinite and researchers on CID's are now being made redundant with little prospect of redeployment and if let go without proper redundancy payments.

The huge investment in research over the last 10 years or so is now about to be wasted. All the experience gained is to be lost. Hundreds of researchers have no option but to go abroad or in many cases return back to their home countries.

Who should fund university research? The public already funds research in funding the salary of academics whose job includes doing research. The public also funds large scale research projects mostly via the SFI.

All publicly funded research should be publicly available and mostly it is. Anyone who wishes to make use of publicly funded research should be facilitated in doing so. Any contributions to university research from the private sector are welcomed but with the understanding that the research is publicly available. This is not always understood by some multi-nationals and in effect they use Universities to outsource their expensive research. While the universities get contributions for doing the research it is often not adequate and so the Universities end up subsidising external research projects. It is difficult for Universities to demand proper funding from their corporate partners as due to underfunding by the Government they need any funding they can get.

Employment Control Framework

To add to the cuts in staff numbers there is the extra imposition of the Employment Control Framework (ECF). If there was ever a policy that was not thought through this is one.

Referring to the ECF, Ferdinand Von Prondzynski, former President of DCU, in his blog (14 March 2011) quotes Brian Hayes, former Fine Gael spokesperson on Education:

"I know many colleges will have international students coming into courses next year, and these will be paying full fees and will increasingly represent a larger part of the student body. With the proposed Stalinist approach to recruitment universities would not be able to staff the programmes taken by these students."

The Universities have lost staff through retirements and staff leaving to go elsewhere. The ECF does not allow these staff to be replaced. But there are exceptions if the Universities plead enough to the Higher Education Authority (HEA). Staff that are deemed critical may be replaced with permission from the HEA and then only on a fixed term contract. If refused then academic departments have to resort to using part-time or whatever staff they can find to fill in temporarily. Many departments cannot find qualified staff and so are left to do without. In ECF mark 2, research staff are also included in the moratorium on hiring staff.

Even though a research project has received the funding, it now needs permission from the HEA to hire the research staff even though the research project funding does not come through the HEA. Also an extra 20% is levied to contribute to the cost of pensions which has already been paid for via the pension levies which the research staff have to pay. Some 'big science' funded research projects have collapsed due to the delay and bureaucracy in getting the appropriate research staff.

The new ECF will also put a halt to the non-exchequer funding of academic posts. Some Universities have managed to acquire private funding to hire some new academic posts. Again even though the funding does not come through the HEA, the Universities need permission from the HEA to hire the new staff. Not only that, but the new academic staff have to be hired at the bottom of the academic scale no matter their previous experience and qualification.

There is now a new ECF as the original ran its course on December 2010. On the last day of the last Government the Minister of Finance signed the new ECF and then left the new Government to deal with it. The Assistant Secretary at the Department of Enterprise, Trade and Innovation, was not too happy with such a hasty decision by the then Minister of Finance. According to Irish Times Education correspondent Seán Flynn, the Assistant Secretary said the new ECF will "penalise" research activity and it was signed without considering the full implications. Sean Flynn quotes from the Assistant Secretary's memo in reference to the new ECF

"how it could be put together without any input from a department [Enterprise] that invests €250 million per annum in higher education research and innovation;

how it could be issued without ever having been presented to or discussed by Government, where we or our Minister might have seen it;

how it could be titled in the circulating e-mail as approved by Minister on 10 March [the first day in office of the new Government] when it appears to have been the last unilateral act of an outgoing Minister post an election defeat;

how it could be structured so as to penalise enterprise-relevant research activity funded by this department through the combination of 30 per cent overhead + 20 per cent further pension levy + normal pension levy and for pensions that may never arise;

how it could be considered unilaterally agreed when it would take out €27 million per annum of research activity funded by this department and this was never quantified in terms of numbers of existing researchers that would have to be decommitted, research centres closed down and these implications put before Government;

how the impact of unilaterally increasing the costs to enterprise engaging with institutions was never factored in and considered; much needs to be learned about how to conduct our affairs."

Whatever the problems there are in hiring new academic or research staff under the ECF, it is a lot simpler in the case of administrative and support staff. No pleading or begging to the HEA is necessary as under the ECF it is not allowed to replace administrative and support staff and so Universities have to do without.

If a critical specialist in Information System services goes off to work with Google then the University has to do without them.

‘Croke Park Deal’ issues

The ECF is not the only problem for academic staff. Under the Public Service Agreement aka as the Croke Park Deal the Government is now attempting to change the contract of academic staff. The Irish University Association (IUA) (the heads of Irish Universities) are on board with this even though they were not involved in the Croke Park negotiations. The IUA has no statutory role at all in the education system. In a recent statement the IUA stated that they “are unambiguously committed to academic freedom of thought and enquiry.”

If the IUA are so committed to Academic Freedom then the Presidents of the other Colleges could follow the example of Trinity College and put before their governing body the Academic Freedom document that was submitted by the IFUT branch in TCD to the Board of Trinity and agreed by the Board. This document mentions some of the threats to Academic Freedom, it mentions:

- Strategic planning, particularly relating to research.
- Measurement of performance in research, including allocation of resources based on meeting targets for research productivity.
- Changes in university governance from a collegiate model
- State control through funding mechanisms.
- Fixed-term contracts

For more information about this Academic Freedom document see the IFUT website (www.ifut.ie).

The IUA also state

“that the freedoms which are contained in Section 14 of the Universities Act are to be exercised in the context of the framework of rights and obligations contained in the contract [of academics]”

Prof. Steve Hedley from the UCC Law School considers an interpretation

“that academic contracts are to be read as limiting the guarantee in the Universities Act – in other words, that academic freedom should only exist to the extent that each academic’s contract allows for it. This is extremely worrying. Academic freedom is, in large part, freedom from university management – and so is not worth much if it can be removed by a simple clause in an employment contract, drafted by that same university management.”

The IUA do not seem to trust their own academics and wish to micro manage them by getting them to fill in all kinds of forms to justify their existence. The IUA instead should speak out and defend their staff and the University system.

Education is not for Profit

The mission of a University system is not to make money and even worse than treating students as customers is to treat them as commodities that can be bought and sold. The students that are to be bought and sold are the lucrative overseas students that are worth international fees to the Universities. Agencies are given financial incentives to find and send students to the West for a University education. The Medical Schools have great experience in attracting enough overseas students to help subsidise their own costs. Other Schools are now trying to follow suit but it is not as easy to attract the students that are qualified. How prepared are these students for a University education in Ireland? Before they leave the overseas student should have a proficiency in English as well as the proper qualifications for the course they apply to. This is not always possible. To help in this dilemma UCD and TCD have created a Foundation year for such overseas students that is to be run by a for-profit education agency. The Foundation year is a kind of a finishing school that can cater for some of the prospective students that are need of help with English and with the subject requirements for the non-medical type degrees they are applying for. The agency that runs the Foundation year is paid international fees by the students and the great advantage they have is that if a student passes their end of year exams they get automatic entry to either UCD or TCD. This end of year exam is not the Leaving Cert or A-Levels but of the agency’s own creation vetted by UCD and TCD. Due to the money involved there is a great incentive to have the Foundation year students pass the end of year exam. There is an incentive for the Universities as well as if the student enters they also get the international fee. But there are risks in Universities relying on these Foundation year agencies. They may not be financially stable and they go broke or they just find a more profitable location elsewhere and leave. From the experiences in the UK and elsewhere, there can be concerns about the quality of what is actually taught as well as concerns about the conditions of the staff who work with the agencies. A requirement for these agencies is that all their staff should be allowed to join a union. Would IFUT be that union?

Now that I have mentioned for-profit education, should market forces determine what is taught? Should student choice dictate what courses should be offered?

Conclusion

Let me conclude with a quote from Gregory Petsko, Professor of Biochemistry and Chemistry at Brandeis University who wrote in a recent edition of Nature

“There is the growing mantra of student choice, which increasingly dictates what programmes are offered, expanded and supported. The thinking here is that students are consumers, and market forces will lead to efficiencies in education, just as they do in, say, finance. If the past two years have taught us anything, it’s that markets aren’t always efficient. In fact they can be manipulated, driven by emotional frenzy and subject to fads. Besides, there are things that simply shouldn’t be left to the brutality of the invisible hand. Education is one. Moreover, the idea that student choice is a good thing is wrong, whether one believes in markets or not. Students have neither the wisdom nor the experience to know what they need to know. Left to themselves, they frequently choose subjects based on the fashion of the moment (which in the United States is currently economics, although at one time it was sociology) or on what they think will equip them best for a job. That the best and most valuable education combines breadth with depth is something that most students do not yet understand. We need less student choice, not more. We need more prescribed curricula, not less.”

Finally,

You have the IFUT Annual Report in your documents and this report gives an indication of the work done by the General Secretary, Mike Jennings, throughout the year. He could not have done this work without the dedicated support of Phyllis Russell, the voice of IFUT if anyone phones Head Office. The Annual Report does not at all do justice to the work and dedication of the IFUT Head Office. Not detailed in the annual report is all the personal cases that IFUT Head Office has to deal with and all the queries members ask of IFUT. I would especially like to thank Mike and Phyllis for a job well done and all their support throughout the year. The Annual Report mentions that this is the year of the Croke Park Deal. There is no need for a Croke Park deal in IFUT Head Office.

IFUT is run by the Executive, Council and all the branch secretaries who unselfishly give their time to work and support the union; without them we would not have a union. I wish to thank them for their support of IFUT throughout the year.

After today, I will be the outgoing President of IFUT. The new President of IFUT is Marie Clarke from the School of Education in UCD. IFUT is particularly fortunate in having Marie as President as she will bring to IFUT her great expertise in Education matters.

C. RESOLUTIONS 2011

RESOLUTIONS ON POLICY

1 MATERNITY LEAVE

"This ADC condemns the continuing failure to provide cover for staff on maternity leave and the serious damage being done to female lecturers and research staff."

2 EMPLOYMENT CONTROL FRAMEWORK

"This ADC calls for the immediate and total rescinding of the Employment Control Framework. This policy is an affront to the principle of institutional autonomy and is having a very severe effect on our ability to deliver a first-class higher education system which our country needs now more than ever."

3 CAREER STRUCTURES IN THE COLLEGES OF EDUCATION AND HUMANITIES

"This ADC notes with dismay the continuing erosion of career structures in the Colleges of Education. After twenty-five years of restricted promotional opportunities modest progress was made but has since been undermined. This ADC calls on IFUT to campaign to defend these structures from further erosion."

4 CASUALISATION OF EDUCATION

"ADC calls upon the Incoming Executive to condemn the casualisation of education: to highlight the increasing role of part-time and contract lecturers and those without contract in the Irish university sector and to begin a campaign illustrating the benefits of IFUT membership to part-time and contract staff."

5 RESEARCHERS

"This ADC reaffirms IFUT's commitment to campaign for fair treatment for Researchers. We commit ourselves to seek the maximum possible levels of employment security and if/where redundancy is unavoidable e.g. in the case of Fixed-Term Staff, we will insist on the payment of fair and equitable levels of severance compensation as per higher education norms.

Finally, this ADC urges all Branches of IFUT to redouble their efforts to increase the level of membership amongst Research Staff."

6 CONTRACT WORKERS

"This Conference condemns the recent moves to make fixed-term contract workers redundant with only statutory redundancy pay and calls upon IFUT to campaign against these actions."

7 CONTRACTS OF INDEFINITE DURATION

"This ADC calls on IFUT to challenge Management's practice of undermining the principles of Contracts of Indefinite Duration by terminating staff contracts on the pretext of lack of funding."

8 'CROKE PARK' AGREEMENT

"This ADC notes that IFUT has democratically rejected the 'Croke Park' Agreement and there appears to be a campaign in the media to reverse this decision. This ADC affirms that IFUT remains opposed to the 'Croke Park' Agreement.

We believe that the primary motivation of IFUT members in rejecting 'Croke Park' was its potential to commit us to unspecified and unlimited changes to our conditions of employment.

For that reason this ADC expresses support for the decision of the IFUT Executive (later endorsed by IFUT Council) to engage in discussions with the Management side to make the terms of 'Croke Park' as explicit and clear as possible and to seek the removal of its most objectionable aspects.

When these talks are finalised and when the Executive believes we have secured all of the favourable amendments possible, this ADC will support a decision to leave the final verdict on the Agreement to IFUT members in a secret ballot vote."

9 ACADEMIC FREEDOM

"Through this Annual Delegate Conference, IFUT reaffirms its professionally held opinion that Academic Freedom, correctly understood, is not a concession to be granted to or withheld from scholars at the whim of the State, but is instead a fundamental and necessary characteristic of any University system worthy of the name. "

10 FUNDING OF RESEARCH BY IFUT

“This ADC notes that in the current difficult climate it is all the more important that IFUT gathers and communicates information that will support the case for state funded higher education and advance the interests of our members. This ADC further notes that there may be occasions when it may be necessary to commission research on matters that are of concern to, but beyond the expertise of, IFUT members. This ADC resolves that, where appropriate, IFUT will finance – at national or local level - research projects that will provide the information to further the interests of members of the union”

11 DRAFT PLAN ON LITERACY & NUMERACY

“This ADC welcomes the debate on changes to the Bachelor of Education degree, but condemns the fact that the recent *Draft Plan on Literacy and Numeracy* failed to consult with the teachers themselves and with the Colleges of Education.”

12 PENSION RELATED DEDUCTIONS

“That IFUT address at Executive level the manifest inequity in treating the Pension Related Deduction (PRD) as a private pension contribution.”