



Circular 0060/2008

To the Chief Executive Officers of VECs.

Protection of Employees (Fixed-Term Work) Act 2003 - Youthreach Co-ordinators and Resource Persons

The Minister for Education and Science wishes to advise you that following discussions between the IVEA and the Teachers Union of Ireland the following arrangements have been agreed in respect of Youthreach Co-ordinators and Resource Persons employed by Vocational Education Committees.

Contracts of Indefinite Duration

The provisions of Circular Letter [124/2006](#) provided for Contracts of Indefinite Duration in relation to Youthreach Co-ordinators and Resource Persons with more than four years successive service as at 1st September 2006. That agreement has now been extended to include those categories of staff with four or more years successive service on or after 1st September 2006. The employer shall issue a Contract of Indefinite Duration to any such staff member who is not excluded by reason of one or more of the following which the employer can demonstrate:

- (i) the post will not be viable within a reasonable period and that such a ground was set out as an objective ground in writing in the previous contract; or
- (ii) the staff member is covering for a post holder on an approved scheme of leave of absence; or
- (iii) there are formal written disciplinary charges of a significant nature against an individual on grounds of misconduct or other serious disciplinary offences.

The hours of the contract of indefinite duration will be the hours for which the staff member was engaged on a fixed term contract in the academic year prior to the issuing the CID (other than those hours which are for the provision of temporary cover as set out in circular PPT14/05)

Definition of a Contract of Indefinite Duration

A person employed on a contract of indefinite duration has an expectation that, subject to the normal date of retirement in the employment, she or he will be retained in the employment and will not be dismissed without there being any good reason such as misconduct or unfitness for their position, or other compelling or unavoidable circumstances. Any dismissal

shall be achieved by the application of the agreed termination arrangement for the particular sector or the application of the relevant statute, as the case may be.

Adjudication System

An informal system for adjudication of appeals against refusal to award a CID or the terms under which a CID is awarded is set out in Circular Letter [0050/2006](#). Employers, in every notification of a decision to award or to refuse a CID, shall state the closing date and time for lodgement of an appeal.

Terms and Conditions of Employment

The terms and conditions of employment of Youthreach Co-ordinators and Resource Persons are set out in previous Circular Letters applicable to those grades.

This circular can be accessed on the Departments' website www.education.ie

Seamus Hempenstall
Principal Officer
1st May 2008