



Circular Letter 0041/2016

To: The Presidents of Institutes of Technology and Dublin Institute of Technology

IMPLEMENTATION OF THE RECOMMENDATIONS OF THE CHAIRPERSON OF THE EXPERT GROUP ON FIXED-TERM AND PART-TIME EMPLOYMENT IN LECTURING IN THIRD LEVEL EDUCATION IN IRELAND

1. Introduction

This Circular sets out the detailed arrangements and procedures for the implementation of the recommendations of the Chairperson of the Expert Group on Fixed-Term and Part-Time Employment in Lecturing in Third Level Education in Ireland and are for implementation with effect from the date of this Circular.

2. Revised terms and conditions of lecturers in relation to being granted a Contract of Indefinite Duration (CID).

(i) Reduction of the period of qualification for eligibility to a CID

Circular 0093/2007 gave effect to the agreement on the implementation of the Protection of Employees (Fixed-Term Work) Act 2003 and in particular paragraphs 2.1.1 and 2.2.1 set out the qualification period for eligibility to a CID of four years. The qualification period was subsequently reduced to three years in a communication from the Higher Education Authority to Institutes of Technology on the 21st October 2013.

With effect from the date of this Circular, the qualification period for the granting of an initial CID is reduced from a period of continuous employment in excess of three years with the same employer to a period of continuous employment in excess of two years with the same employer. This reduction means that a lecturer will be awarded a CID rather than a further Fixed Term Contract provided the conditions and procedures set out in Circular 93/2007 are satisfied.

(ii) Qualification period for a further CID for additional hours

Where additional hours are awarded to an existing CID holder, the qualification period for a further CID in respect of those additional hours should be one year, provided that the conditions and procedures for the awarding of a CID set out in Circular 0093/2007 are met.

3. Awarding of additional hours

In advance of advertising available hours in a particular course, an Institute of Technology should carry out a review to ascertain whether there are existing qualified lecturers on CIDs or pro-rata fixed-term contracts for less than full hours who have the necessary qualifications to teach the course and who could benefit by the augmentation of their existing contract. If this is the case, the extra available hours should be offered first to such lecturers before being advertised generally.

4. Non-exchequer funded posts

Under the National Recovery Plan 2011-2014, and as part of the Government commitment to reduce the cost of the public sector pay bill, the Employment Control Framework was put in place to reduce public sector numbers. As part of the Framework, an employer had the flexibility to recruit staff to non-exchequer funded posts provided the appointments were made on the basis of fixed term or fixed purpose contracts, whose term should not exceed the duration of the projected revenue stream.

As provided for in the recommendations of the Chairperson of the Expert Group, an Institute of Technology has the discretion to determine whether a contract for such a post should be awarded on a fixed-term or permanent basis.

5. These changes to Circular 0093/2007 are effective from the date of this Circular.

Circulation and Queries

6. Please ensure that this Circular and its contents are brought to the attention of all relevant staff in your employment including those on leave of absence.
7. This Circular can be accessed on the Department's website under www.education.ie
8. Enquiries regarding this Circular should be e-mailed to:

ESR@education.gov.ie

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4 July 2016