



11 November 2020

Shane Lambert
Fórsa

By email: slambert@forsa.ie

Re: 72 Hours

Dear Shane,

I refer to the staff side claim on the SNA IR Forum agenda and which is set out below, and to your recent correspondence of 22nd October requesting that the 72 hours are frozen during the Covid-19 pandemic. While I note this latter request is separate to the claim below I will respond to that request in this letter.

Union Claim: *That as the obligation for SNAs to be available to work an additional 72 Hours each year is being widely misinterpreted and misused, this obligation to work the additional 72 Hours should be abolished and working hours reduced accordingly*

This claim has been the subject of discussions at a number of forum meetings. It is the management side's position that SNAs have a contractual obligation to be available for a number of days at the start and finish of each school term, not exceeding 12 in total. Under the Croke Park Agreement it was agreed to introduce greater flexibility to the use of these 12 days. Accordingly, DES Circular 71/2011 was issued following agreement at the Labour Relations Commission and it outlined that these 12 days now equate to 72 hours (pro-rata for part-time SNAs) to be used by schools as an additional bank of hours to be utilised and delivered outside of normal school opening hours and/or the normal school year. Both the SNA contract (at primary and post-primary levels) and Department of Education circular 71/2011 were negotiated and agreed nationally between the Department and Unions.

At the forum the management side undertook to issue a letter to schools reminding them to take the necessary steps to ensure the optimum usage of the 72 hours that form part of the SNA contract, and to clarify the appropriate uses of the 72 hours. The staff side have had an opportunity to provide observations on the draft letter and it is appended here for your information. The management side note your intention to refer the matter to the WRC.



Accordingly, the management side do not concede the claim and cannot concede the request to freeze the hours during the current pandemic as these hours form part of the standard SNA contract and are required to be undertaken by those who hold employment as an SNA. Furthermore, the Department are requesting that the union desist from issuing correspondence to schools which states that the hours are not compulsory as this is causing confusion in schools.

Grievance and disciplinary procedures are set out in Circular 72/2011 and allegations of inappropriate uses of hours, and procedures in the event of a failure of an SNA to perform contractual obligations should be raised by SNAs and employers respectively using the agreed procedures in place.

Yours sincerely,

Tara Carton
Principal Officer
External Staff Relations

cc. Andy Pike, Fórsa
cc Sinead Brett, CPSMA
cc Patrica McDermott, ETBI
cc Bernadette Kinsella, JMB
cc Annmarie Dillon, ACCS
cc Noeline Kavanagh, NABSME