

Unite ELT

The Union for English Language Teachers in Ireland
A branch of Unite the Union, Ireland



CAMPAIGN UPDATES

Since the founding of the Unite English Language Teachers branch at the start of 2017, we have been active in a number of fields, with campaigns ranging from ending the practices of zero-hours contracts and bogus self-employment to obtaining better pay and conditions for our members and all English Language Teachers. Below are just some of what the branch has achieved in the last year.

Improvements in Working Conditions: As well as engaging in campaigns to improve conditions across the sector, we have seen significant improvements in individual schools, as members spoke with a united voice and with the support of their union to bring about real changes in their working conditions. These are changes such as the provision of permanent contracts and an increased number of sick days.

Qualifications and Quality Assurance (Amendment) (QQA) Act:

On October 24th 2017, the branch held a protest outside the Dáil to call on members of the Joint Committee on Education and Skills to meet with representatives from the Unite ELT branch, a protest which gained significant media coverage. From there, our political campaigns have grown, leading to invitations in 2019 to speak about working conditions in the sector to the Oireachtas Committee on Education and Skills and to the Committee on Employment Affairs and Social Protection. The QQA Act which included an amendment on the International Education Mark (IEM) which Unite proposed was passed in July 2019. This Act enables Quality and Qualifications Ireland (QQI) to examine the compliance of course providers with national employment law. Where cases of non-compliance are identified, QQI will be empowered to withdraw authorisation from a provider to use the IEM. Unfortunately, there may be some delay in the implementation of the Act's recommendations. According to QQI, it is not envisaged that the IEM will be implemented until the 2021-22 academic year.

Mediator's Report:

One important factor in the passage of the QQA Bill was the report of the government-appointed mediator Mr Patrick King into working conditions in the ELT sector. This report is available from: <https://www.education.ie/en/The-Education-System/Higher-Education/commercial-english-language-education-sector-report.pdf>. Mr King received information from the stakeholders in the ELT industry, including hundreds of teachers in many schools. The picture his report painted of teaching English in Ireland was grim, but not in any way surprising to those who work in the sector. The report states: "While there are a small number of positive comments from teachers about their experiences of working in this sector, the great majority are highly critical of the working conditions in English Language schools." In addition, the report says that: "Teachers in the schools state that low staff morale is commonplace and some cite examples of high levels of stress and distress caused by their poor working environment."

Joint Labour Committee:

Following on from the recommendations in the mediator's report, the Minister of State for Higher Education has ordered that a Joint Labour Committee (JLC) be set up by the Labour Court. A JLC regulates conditions of employment and sets minimum rates of pay for employees by means of an Employment Regulation Order (ERO). The ELT branch welcomes the opportunity to participate in the JLC with the ultimate aim of achieving an ERO which will set minimum employment standards in the ELT sector.

The Future:

We will continue to be active both at a national level and in individual schools, engaging in the JLC, supporting our members, and working to improve our terms and conditions in order to make teaching English a job to be proud of.

Unite ELT Branch: Strong Voice, Secure Work & Decent Pay

This newsletter was written and produced by members of the ELT branch of Unite the Union.

Join Today: join.unitetheunion.org

There are a number of differences between being an English language teacher (ELT) in Ireland in the 1980s and now. These include the size of the industry, the nationalities, changes in length of stay, an increase in the gap between our pay and the cost of living, the laws and expectations of workers in general, and the existence of an ELT branch of Unite the union.

There were a handful of schools in 1986 which were mostly run by families, many of whom had a paternalistic attitude towards their teachers. Today, many of the bigger schools are owned and run by big corporations making it difficult to know who makes the decisions regarding teachers.

The nationalities of the students have also changed. In the 80s and 90s most of our students came from Western Europe. There was much less demand for English, since the Berlin Wall had only just been knocked down and the internet was still only in the pipeline. Students often came to Ireland for a month at most, and often less, resulting in periods of the year when work was scarce. Despite working full-time, teachers needed to sign on to social welfare to make ends meet.

It was in the 90s that the first students arrived on student visas. Thousands of Chinese students arrived leading to visa-led schools. These visas require students to attend classes for a minimum of 15 hours a week and they are allowed to work for 20 hours maximum in jobs not requiring work visas. This greatly changed our teaching practices, since we were battling with overtired students with less motivation to learn. It also led to 'visa schools', where some unscrupulous owners used the system to make some quick money and skip out of the country. This greatly diminished how our job was viewed. In the 90s, during the war in the former Yugoslavian countries, teachers were expected to teach severely traumatized people without specialised training.

Employment laws have changed too. In the 1980s, employers were not obliged to provide a written contract stating terms and conditions of employment. There was no expectation of paid breaks, holidays or sick pay. Teachers frequently had to record their own hours of work and these often required a teacher to work long hours, sometimes outside Dublin city and provide and pay for their own transport. The unwritten understanding was of zero-hour contracts. Work depended on the hours available. This could mean that a teacher might work nineteen days in a row because a student did not want a different teacher for afternoons and weekends or teach for nine hours in a day in two schools. This last has not necessarily changed.

Because there were fewer students and schools, teachers felt they had to do whatever was asked. Unusually, however, one school I worked in was unionised and we managed to win the right to paid breaks. This same union helped us to keep the school afloat when it got into financial difficulties, by negotiating with the teachers to work for a weekly cash wage and allow the school to resolve its problems, without the students or their agents ever learning how close the school was to closing down. Sadly, affiliation to the union was not continued and that school has since closed.

Although teaching in private schools was badly paid in the 70s, 80s and 90s, the cost of living was very much lower. It was possible to apply for a mortgage, which in the 90s allowed a prospective homeowner to borrow two and a half times their salary. For me this meant an exaggeration on the part of my employer, but it allowed me to own a home for my little family. Admittedly, the cost of a house has increased for everyone, whatever the job, but it is almost impossible to be accepted for a mortgage now as a teacher of English. The gap between the cost of living and the average wage of an ELT has grown enormously since then. This increase seems to have started in about 2008 at the time of the crash and subsequent banking crisis in Ireland. As an example, I earn the same per hour now as I did eleven years ago. And, as everyone knows, the cost of living has jumped several times over since then. To further illustrate how far our pay has fallen, I found a payslip for 1990 recently. Allowing for the change in currency and inflation, I am earning about three euro less now than I did almost thirty years ago!

Unfortunately, some things have not changed. Teachers' pay is still very low. Despite the cost of courses, students are still presented with textbooks which are out of date, computers which have seen better days, and buildings or classrooms which have neither soundproofing nor adequate seating or desks. Teachers are still not consulted as to what would work best in the classroom. With so many schools not paying any sick pay, there is no concern for the physical or mental health of teachers. Although there are more laws protecting the employees, language school owners still ignore them. In the past this meant the individual teacher had to seek redress alone. This last is painful and difficult and our bosses know this and, as a result, employers will still risk flouting the laws.

Now at last we have a union we can turn to, be a part of, and work with to, in time, improve the conditions of English language teachers.

I'd like to tell you about...

My experience as a non-native English Language Teacher in Dublin.

I heard about non-native teachers being paid less just because they were non-native users of the language but fortunately, that wasn't my case. However, this doesn't mean that it's not happening, so it's better to be alert.

I had 5 job interviews in total and in 4 of them I was offered a good rate. There was one in which the hourly rate wasn't good enough but that was because the school is well-known for paying little money. However, there are some pieces of advice I would like to share with every teacher who is applying for a teaching position. Don't accept any offer below 18 euro per hour, which is still low but unfortunately that's the kind of standard rate we have nowadays. Get ready for the interviews and do all the necessary research about the school you are planning to apply to before sending your CV or going for an interview. Remember that your experience and qualifications, apart from the necessary ones for the position, are important, no matter where you got them. Never accept an offer straight away unless you consider it's a good one. Go to as many interviews as possible and ask your interviewer all the questions about the school that you consider important and tell them that you will come back to them after evaluating other offers you have. Schools take their time to evaluate different candidates, so you should do the same with schools and don't hesitate to ask for a better offer if you consider the wage doesn't match your skills, experience and knowledge. You can do this by telling them how much you were offered in other schools, for example. Last, but not least, be confident in what you know, be polite and friendly, show that you know about the company and demonstrate willingness to work with them, but make sure they know that you are important and that they need to pay you well.

My last recommendation would be to join Unite the Union as, in the unfortunate case of suffering some kind of discrimination at your workplace, you know that there's a group of colleagues who will provide assistance to cope with the situation and also, if you know about a case, you can report it and help terminate any type of discrimination in the industry. In fact, the Charter of the ELT branch of Unite demands equality of pay and opportunity for non-native speakers.

Some things you should know about

Your Employment Rights



- You have a constitutional right to join a trade union.
- You must be given a written statement of 5 core terms within 5 days of starting your job and you must be given the remaining terms of employment (your contract) in writing within 2 months.
- If you work on a low-hour contract of employment and you consistently work more hours each week than your contract provides for, you can ask your employer to change the contract terms. You are entitled to be placed in a band of hours that better reflects the number of hours you have worked over a 12-month period.
- You cannot remain on a series of fixed-term contracts indefinitely. After four years, if your employer wishes you to continue, it should be with a contract of indefinite duration (permanent contract). Get advice from Unite.
- You earn annual leave entitlements from the time you start work based on hours worked.
- You are entitled to paid leave on public holidays, provided you have worked at least 40 hours in the 5 weeks before the public holiday.
- You may be entitled to redundancy after two years' service, even if you don't have a permanent contract. Go to Unite for advice.

For questions on any of the above contact Unite the Union on 01 8734577.



5 May: A Day of Action

5 May 2020 marks 5 years since the 2015 #REGULATENOW March



When? Tuesday, 5 May 2020

Who? Unite members in the English Language Teachers' Branch

What? A day of action.

How?

Unite members in ELT staff rooms around Ireland plan to take some small collective action to celebrate our solidarity and success in building pressure on government to enact regulation over our industry – wearing badges, posting on social media, lunch-time actions of visibility, anything demonstrating the push back against bullying, precarity, and low pay in our sector, and celebrating our victories here large and small

Why?

To mark the significance and impact of the five-year drive for real regulation in the ELT sector in Ireland, our branch voted to celebrate its beginning on 5 May 2015 during the Regulate Now March organised by the ELT Advocacy Ireland campaign and MEC Student Union.

So what was the 5/5/2015 Regulate Now March and why was it so important?

Well, 2015 was when the College Closure Crisis was at its height. At this point, 11 ELT schools had closed in Dublin alone. Two more schools were crumbling in April 2015. Linked by ownership, MEC and NCBA had issued IOUs instead of pay at the end of April. Teachers stopped working and students protested in support. Students formed MEC Student Union and on Tuesday, 5th May 2015, they marched from the Oscar Wilde statue to the QQI headquarters on Denzille Lane, to the Garda National Immigration Bureau on the quays, and to the Dáil, winning national media attention for their demand that the Minister for Education #RegulateNow.

An organiser from Unite observed the march that day. Impressed, he joined us. He helped us go on to build this Ireland-wide ELT branch and become a part of the Joint Labour Committee talks happening this year to finally regulate for better employment in our sector. This was the day Unite united with us.

This May we'll commemorate that event and the successes that have brought us here with a day of action.



Unite Charter for English Language Teachers

- 1. Permanent employment contracts as standard for all English Language Teachers**
The blanket use of Fixed Term contracts for teachers is an abuse of the Protection of Employees (Fixed Term Work) 2003. Teachers should be given permanent contracts unless there is a specific, legitimate reason why this is not appropriate.
- 2. Fair application of the Employment Act 2018**
Employers must abide by the Employment Act 2018. Within 5 days of beginning a new job, English language teachers should be provided with a written contract with their core terms and conditions of employment, including normal hours of work and rates of pay. English language teachers should not have their hours capped if they apply for banded hours. Reducing a teacher's overall hours if they apply for banded hours is a punitive measure against the spirit of the Employment Act.
- 3. An end to bogus self-employment**
Bogus Self-Employment arrangements, where the worker is forced to be a sole trader or operate through a company in order to be hired, sees a significant reduction in entitlements - including the right to holiday pay, sick pay, maternity pay, unemployment benefit and employer pension contributions. They may also lose their rights to employment protection legislation on issues including unfair dismissal. English language teachers by definition cannot be self-employed.
- 4. Recognition and pay for non-contact hours**
A teacher's role goes beyond classroom contact hours. All hours worked in planning lessons, marking, preparation work and administration should be taken into account in the contractual rates of pay and, as is the case in other teaching contexts at primary, secondary and third level, remunerated accordingly.
- 5. Entitlement to sick and holiday pay**
Although there is no legal obligation on an employer to pay sick pay to staff, it is a hallmark of an ethical employer who values their staff to do so.
The Organisation of Working Time Act 1997 provides for basic annual paid leave entitlement of 4 weeks. You are also entitled to 9 paid public holidays a year.
- 6. Full entitlement to all leave guaranteed under employment legislation and an end to forced holiday layoffs**
Teachers should be fully entitled to maternity, paternity, parental, adoptive, force majeure and carer's leave. Maternity/paternity leave should be supplemented by employers for the duration of the statutory entitlement period.
Should a school close for an extended period, over Christmas or Easter for example, teachers should receive holiday pay for these enforced layoffs. No teacher should be forced to resort to social welfare due to school closures.
- 7. Equality of pay and opportunity for non-native speakers**
The Unite English Language Teachers branch strongly condemns discrimination against Non-Native English-Speaking Teachers (NNESTs) and stands shoulder to shoulder with all teachers as workers. The Employment Equality Acts 1998-2015 outlaw discrimination in a wide range of employment and employment-related areas. These include recruitment and promotion, equal pay, working conditions, training or experience, dismissal and harassment.
- 8. Full support from schools for continued professional development**
It is in the interest of teachers, schools and students that professional development continues on an ongoing basis. Schools cannot place all the responsibility and cost of this onto teachers.
- 9. Union recognition and representation rights across all schools**
You have the constitutional right to be a member of a trade union and under the Employment Equality Acts 1998-2015, you cannot be dismissed or discriminated against for joining a union. Good, ethical employers recognise unions. The ELT branch fully supports the recommendation of the Patrick King report 'that it become part of a formal code of practice for all schools that trade union membership by employees is fully respected and facilitated.'
- 10. Standardised salary scales across the sector through the application of a Sectoral Employment Order/Employment Regulation Order**
The Industrial Relations Acts provide for a system of Sectoral Employment Orders and Employment Regulation Orders. Under the Acts, an SEO/ERO may set out the minimum pay rates as well as pensions and sick pay schemes for an economic sector. A Joint Labour Committee (JLC) has been established to negotiate an ERO and Unite the Union will represent their members at this JLC. For an SEO to be achieved, a union must be genuinely representative of the sector in which it is applying. For an SEO to be obtained for ELTs, teachers must join a trade union.

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Find out more at: www.unitetheunionireland.org
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We meet on the second Tuesday of the month from 5:30. Join us.
#UniteELT