



27th of April 2022

To all SNA members

RE: 72-Hours Directive

Dear Members,

You will be aware that on the 17th of January the Education Division Executive Committee issued a directive to members that any obligation to undertake 72-hours should not be done on school premises and instead should only be done remotely. The decision to issue the directive was issued on foot of a combination of factors, which included the public health advice at the time, the high prevalence of Covid-19 within schools and the prevalence of Covid-19 within the community, combined with consistently low classroom temperatures.

Following a number of requests by the Department in March that we would review the position, we agreed we would review it at the April meeting of the Divisional Executive Committee.

The executive considered the position and felt that it was clear the circumstances that led to the directive being issued, had changed significantly and as such, it was becoming more difficult to stand over the position as we moved forward. As such, the executive agreed to the lifting of the directive on that basis and being cognisant of the fact that discussions on the 72-hours and contract review are to start imminently. **The directive will be lifted on Tuesday the 03rd of May, from that date SNA's will be able to undertake the 72-hour obligation on school premises.**

The executive was also mindful that prior to the directive being issued on the 17th of January members and the union had regularly dealt with issues relating to the 72 hours. Issues such as below but not exclusive to:

- Members being asked to do inappropriate work (cleaning, duties of other posts, whole school copying or laminating).
- Car Park / lollipop duties etc).
- Hours being scheduled outside of the provision of the circular that extend the working day or week.
- Hours and part-hours not being credited in line with the provisions of the circular.
- SNA's being asked to attend on the premises for a specified period, without appropriate tasks to complete.

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As such, the executive decided that the lifting of the directive should be done on the proviso that employers explicitly adhere to the provisions of the nationally agreed circular on 72-hours, circular 71/2011. We will not accept any return to a situation where employers disregard the provisions of the nationally agreed circular in any way.

Where an employer requests that members undertake the 72-hours in a manner which is not in line with the provisions of the agreed circular the union will issue a directive to members in that employment(s) not to engage in any way that would constitute a breach of the circular.

The union have written to both the Department of Education and the following management bodies setting out that position: CPSMA; JMB; ETBI; ACCS; IPPN; NABMSE. A copy of the text contained in the letter that issued to management bodies is contained below, as is the text from the email that was sent to the Department, for your information.

In summary, the directive to only undertake the 72-hours remotely is lifted from Tuesday next, May the 3rd. From that day, members can be requested to undertake work under the 72-hours obligation on school premises. However, such work should be explicitly in line with the provisions of the agreed national circular 71/2011.

For clarity, examples of types of breaches are listed below:

- *Duties must be SEN related and SNA appropriate, as per the provisions of the circular which states - **Other work which is appropriate to the grade as may be determined by the needs of the SEN pupils and the school.***

Therefore SNAs should not be requested to undertake duties such as copying / laminating for the whole school, nor should they be requested to carry out cleaning duties such as hoovering or mopping areas of the school, run book or homework clubs, cleaning of libraries, car park duties, or any duties normally associated with other grades (cleaner, teacher or caretaker) or those with a post of responsibility, work requested of SNAs must have a viable SEN rationale.

N.B This list is not exhaustive

- *SNAs should not be asked to attend for a particular timeframe without appropriate tasks being identified, nor should SNAs have to wait until a particular finish time despite all appropriate tasks being completed. The 72-hours are task driven, if appropriate tasks are identified as per above, then SNAs should be free to leave once such tasks are completed and the hours or parts thereof, should be credited as per provisions of the circular. There should be no instances of SNAs being held in the workplace on a time dependent basis.*
- *Hours should not be scheduled as reoccurring daily or weekly in a manner that extends the working hours of the day or week.*
- *Hours should be scheduled in line with the provisions of the circular vis-à-vis providing notice, allowing for breaks etc.*

Should members have a concern that they are being requested to undertake the 72-hours obligation in a manner that breaches the nationally agreed circular, we urge you to contact the union immediately. Where breaches are confirmed, we will issue a directive for all members in that employer not to undertake the duties / work in the manner suggested and also intervene with management directly on their behalf.

Members adhering to a directive issued, will have the full support of the union.

Kind Regards

A handwritten signature in black ink, appearing to read 'Shane Lambert', is displayed on a light blue rectangular background.

Shane Lambert
Assistant General Secretary
Schools Team