



**Irish National Teachers' Organisation**  
***Cumann Múinteoirí Éireann***

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*Northern Secretary:*  
**Gerry Murphy**

GM/CMcD

31<sup>st</sup> January 2013

Mr Basil McCrea MLA  
Chairperson DEL Committee  
Room 357  
Parliament Buildings  
Ballymiscaw  
Belfast  
BT4 3XX

Dear Mr McCrea

In write in relation to the Draft Education bill and in particular Section 13 of the bill which refers to :

Modification of employment law.

13. (1) The Department may by order make such modifications in any statutory provision relating to employment, and in particular in any statutory provision—
- (a) conferring powers or imposing duties on employers,
  - (b) conferring rights on employees, or
  - (c) otherwise regulating the relations between employers and employees,

as it considers necessary or expedient in consequence of the operation of sections 3 to 12 and Schedule 2.

I note with concern that recent reports of the DEL Committee are of a view that they note the progress of the bill but that there are no matters requiring there consideration at this time.

INTO remains concerns that the above authority does not clarify the nature and type of employment law which can be changed. Furthermore the draft legislation requires only consultation with stakeholders, identified in Section13 – para 2



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(2) Before making any order under this section the Department shall consult—

- (a) ESA;
- (b) DEL;
- (c) the Office of the First Minister and deputy First Minister;
- (d) the sectoral bodies; and
- (e) such organisations representing the staff of grant-aided schools as appear to the Department to be appropriate.

This list fails to recognise the rights of independent trade unions to be consulted and negotiate on matters of employment law which may impact on their salaries or terms and conditions of employment.

INTO would wish to see the above clause refined to detail the nature and scope of the authority to amend employment law and also to recognise the important role of trade unions in negotiating collective agreements and reforming employment law.

INTO would wish to meet you to detail our concerns and to discuss other matters arising from the draft legislation which may fall within the scope of the Department of Employment and Learning.

Yours sincerely

A handwritten signature in black ink, appearing to read "G. Murphy".

**GERRY MURPHY**  
**Northern Secretary**