I: Leo thank you very much for speaking to me again, we’re I think at the beginning of the 1980’s, 1982 possibly.

L.C.: 1981, which was a seminal year for the Institute in that in 1980, the government signed a statutory instrument for the National Institute for Higher Education Limerick Act, 1980, the commencement order in June 1980 and the first statutory Governing Body, up to now they’d been ad-hoc Governing Bodies with very limited power; but the first statutory Governing Body was appointed for one year. It consisted of 25 members – Paul Quigley who led us so well in the ‘70s remains as Chairman, and then it was widely representative of different sectors of society; representatives from University College Galway, University College Cork, Professor Michael McCormack of University College Dublin, who was to play significant roles subsequently in the Commission, that decided that NIHE, Limerick should become a university. He was the Irish academic on that, so he made a significant contribution over the years to the development of the university and a lot of the Chief Executives of major multi-national companies were appointed to the Governing Body. People like Dermot Whelan, Chief Executive of Howmedica who became Deputy Chair, Tom Urwin, Chief Executive of Analog Devices and Peter Shutz, the Chief Executive of another major American company.

So there was a nice blend of education and business and also representatives of second level education, the Headmaster of Crescent College and so on, was also a member. So it held its first meeting on the 27 July 1981, and I think Paul Quigley gave a masterful introduction and outlined what he thought should be an appropriate modus operandi for the Institute and I’d like to quote, if I may, from elements of his address, because they reflect the fundamental concern still ongoing in the university about the power to appoint,
the Institute’s power to appoint its own staff. That the Act still was open to various 
ambiguous interpretations depending on where you came from. The Department of 
Education wanted to interpret one way and the Governing Body saw power to appoint 
staff from a different perspective.

So rather than quote directly from the minutes, perhaps if I just summarise what Paul 
Quigley said to the Governing Authority. He advised the Governing Body that it had 
responsibilities under law, which it must exercise, and it cannot permit others to exercise. 
This is going back to trying to jealously preserve the key function of appointing the 
Institute’s own staff. He also stated that the Governing Body had the overall 
responsibility to have a clear and high sense of purpose in relation to the Institute’s 
identity and he noted that the Governing Body was on top of the organisational structure 
of the university, but there were other structural elements in place – the Academic 
Council, Faculty Boards and so on, and it was important to differentiate between the 
different roles. And I think he was anxious to say the Governing Body would be involved 
in policy making rather than day to day management of the university. He noted the full 
confidence the previous Governing Body had in the calibre of the leadership – Ed Walsh 
and staff, and indeed he said that the Governing Body should be privileged to have 
people of that calibre reporting to it. He also told the members that membership of the 
Governing Body confers obligations on them, and one of them that came up in a previous 
meeting was confidentiality, and he asked them to respect the confidentiality of Institute 
matters and also he did advise them that being members of the Governing Body, he felt 
that even though everybody was busy, he felt wherever possible, every effort should be 
made to attend the meetings. So that was, in summary, a very important meeting and a 
very good address from Paul. There were a number of then legal things to do under the 
Act and the staffs were transferred to the new Institute, selection procedures agreed by 
the previous Governing Body were agreed by this Governing Body. So a number of 
administrative matters were transferred to the new Governing Body.

An interesting side issue, we were experiencing accommodation difficulties in terms of 
facilitating staff and we took the unusual step of renting houses that were being built by
McInerney’s in the vicinity, and having them reconverted into offices for some of the faculty. So that was an interesting ‘stop gap’ departure. The idea that Ed had germinated with the Technological Park was coming to fruition now and the campus was entitled to campus forum which consisted of reps. from Shannon Development, the IDA and all the major industrial bodies on UL, so that held its first meeting on the 22 September 1981 in Thomond College, at the invitation of Jim Christian, and they set about pursuing actively the concept of the Technological Park, which now has grown substantially over the years and proved a major factor in enticing large multi-national organisations to Limerick, and of course it fitted very neatly into the objectives of the Institute at the time.

I may have mentioned before Ed’s idea of starting a National Self Portrait Collection which is flourishing to this day, and there are a vast number of paintings by very, very prominent and past and indeed deceased members of the Royal Hibernian Academy. So the genesis of it was, the Institute purchased a small selection of paintings by a local man called Patrick Kneafsey, and that formed the opening nucleus of the National Self Portrait collection and in 1981, July-August, members of the Royal Hibernian Academy were invited to participate in this, and the Minister was invited to open the first exhibition and the then curator of the National Museum/National Gallery, Mr Honan Potterton was asked to lend some self portraits for the opening exhibition, and since then in 1981, there’s been an opening every year and some ten or twelve additions are added to the collection. And indeed gifts have been received down through the years of self portraits of very famous Irish artists.

Another crucial issue for the Institute was the question of a statutory pension scheme. Staff had been making payments at six and a half per cent, deducted from salary, pending the creation of a statutory pension scheme and in 1981, the Governing Authority considered a draft statutory pension scheme, it was in September 1981. It was, as you might expect, generally in line with public sector policy at the time and at this stage we had achieved a substantial measure of agreement with the union on this and it was presented to the Governing Authority and they approved the draft with the proviso that we continue to negotiate with the ASTMS to finality on the pension. If there were any
difficulties being experienced with the pension scheme, we would refer to the arbitration and conciliation services of the Labour Court, but that was an important move continuing the regularisation of many conditions of appointments of staff concerned.

The question of student accommodation: We still struggled to provide sufficient student accommodation and an Accommodation Officer was appointed and houses were identified in the location that would be suitable as digs for students, if you like. The Salesian Hostel which we unsuccessfully tried to build on the campus, was finally built off campus, just off campus and opened for business on the 15 November 1981. That was a long drawn out saga and was typical of, again, the frustrations being experienced by the executive of the university in interacting with the bureaucracy in Dublin, and trying to achieve some sort of autonomy for the university. Highly frustrating occupation altogether, that’s a very good example of the university being unable to provide for its own students on campus accommodation even though it would be funded not by the Department of Education, the Minister or NIHE, but by an outside organisation.

Reverting to the pension scheme, and again, one can see here the bureaucracy at work. After much negotiation at local level between the executive and the ASTMS, the statutory pension scheme was agreed and the Governing Body approved the pension scheme which had taken a couple of years to negotiate to finality at that stage. And the pension scheme had duly been approved also by the Department of the Public Service which is now defunct but at that time dealt with all public service personnel and HR issues. At all times, of course, we kept the Department of Education informed, and we were enormously surprised and frustrated to discover that the Department of Education wanted to re-open certain matters in relation to certain sections of the scheme. A meeting was arranged between the Assistant Secretary of the Department, myself and John O’Connor, the Higher Education Authority and the Department of Public Service to discuss the issue, and the Governing Body at its meeting in September, viewed with grave concern the fact that the Department of Education continued to question fundamental sections of the scheme. They decided that the Chairman of the Governing
Body should write to the Minister for Education to advise him of the Governing Body’s concern on this issue.

Another key milestone was the admission of the NIHE formally to membership of the CAO. We received a letter on the 18 November inviting us to apply for membership, which we did, and that was granted and I became the NIHE representative on the Board of Directors of the CAO, and remained a Director from 1981 to 2002, and I was Chairman of the CAO for six years ending in 2002. The Self Portrait Collection was opened by John Boland, the Minister for Education, on 13 February 1981, and Ed Walsh was having discussions with Colm O’Briain who was Director of the Arts Council at the time, and who was enormously interested in and enthused about a National Self Portrait Collection. Ed discussed with Colm the establishment of a Board of Trustees of which he would be a member and Ed would be a member and other prominent people, prominent in the artistic world would be members and the Governing Authority approved Ed’s membership of this board of trustees. At the time, the Governing Body had to approve, if the Director wanted to become a member of anything, the convention was that he would put it to the Governing Authority and it would be a formality, but it was necessary to seek their approval if the Director wanted to become a member of any outside organisation. That illustrates the obstinacy of the Department of Education. We continued to negotiate with the Department of Education and we agreed a long and detailed pension scheme, we agreed every facet, except a section No. 8.6, which states that the Governing Body may provide pensionable leave of absence for staff up to a period of one year. This was to cover, for faculty in particular, the question of sabbatical leave. Approval had previously been given in principle for this, but the Department of Education were now seeking to have this provision removed. The Chairman had been trying to unsuccessfully contact the Minister by telephone to convey this grave concern by the Governing Body about this, but he wasn’t able, and ask him to directly intervene in the negotiations in the hope of bringing the matter to a speedy conclusion. So the saga drags on, another example of the obduracy of the Department of Education.
In 1981, much work still remained to put in place structures and systems and procedures and appropriate personnel arrangements for various units within the organisation and the Governing Body decided in 1981 to create three working groups: 1) to examine in detail the computer services division in the library division, and the membership of that small group was Tom Urwin, who was the Chair of it, he was Chief Executive of Analog Devices, and then two internal staff members – John Barrett who headed the Computer Division and Pat Kelly who headed the Library. The second one was the Cooperative Education division and the Chair of that was Peter Shutz – again a Chief Executive of a major American multi-national and the members of and internal staff members who were members of that were – John McGinn who was Director of Cooperative Education and Michael Wallace, an elected staff Governor; and the third sub group then was a sub group to look at administration and allied support services and that was chaired by Dermot Whelan, Chief Executive of Howmedica and Deputy Chairman of the Governing Body, and it contained internal membership of John Barrett, myself, Roy Hayhurst, John O’Connor and the Personnel Officer. So the brief was to examine each of these areas and report back to Governing Body on appropriate structure and I suppose an appropriate payment system as well.

Reverting to the National Self Portrait Collection, the Governing Body in January 1982, approved the membership of the Board of Trustees of the National Self Portrait Collection. The Chairman was the Director of NIHE; the members then were the Director of the Arts Council, the Director of the National Gallery of Ireland and the Keeper of the Royal Hibernia Academy of Arts. So a very, very high profile Board of Trustees indeed which indicated I suppose the growing importance of an interest in this very exciting development at the NIHE, Limerick which was the original idea of Ed Walsh, the Director.

The statutory Governing Body continued to be pre-occupied with its level of authority and responsibility and I, as Registrar and Secretary to the Governing Body, was requested to seek legal opinion on this issue, particularly in relation to appointments and I did as requested and I briefed the Governing Authority at its meeting of February 1982 to
the effect and I quote here from the legal opinion: ‘Governing Body is entitled to fill sanctioned posts within agreed salary scale without ministerial approval and they would therefore not be liable to surcharge’. So the key point is we couldn’t actually create posts but once posts were created by the Department and sanctioned governing authority felt and always did feel that once they were created and the agreed salary scales approved by the bureaucracy in Dublin, Governing Body then had authority to fill those posts without further recourse to Dublin. And that proceeded to operate and this legal opinion copper fastened that. Again it’s an example of the ongoing concerns about control and who is responsible for the appointment of staff. Still struggling with the appointment of staff the Chairman and Director met with the Chairman and Secretary of the HEA in February 1982, to discuss the arrangement for appointment of staff and the Chairman and Director of NIHE noted, re-affirmed that it was their view that the Governing Authority was not obliged under the terms of the NIHE, Limerick Act 1980, to seek approval when filling sanctioned posts, one exception being the Director. When this was ongoing, NIHE, Dublin and Thomond College were informed of the policy being pursued by the NIHE Limerick and Professor McCormack who was a member of the NIHE, Dublin Governing Authority, as well as our own, advised the governing authority that NIHE Dublin was pursuing the same policies. And the Governing Body decided again to re-affirm its position once posts and salary scales were sanctioned it was the Governing Body’s prerogative to appoint staff to those posts within those salary scales.

Going back to the pension scheme, and this famous clause 8.6, the Department of Education advised the Institute that the Minister was not prepared to permit unpaid leave of absence to be reckonable service. Accordingly, 8.6 should be deleted, and this was in accordance with the Minister’s statement to the Director at the meeting they held in December ’81. It was noted that all other university schemes made provision for sabbatical leave and it was felt that this was vital and necessary for NIHE and faculty to have provision and the governing authority considered this was retrogressive if you like step and appealed directly to the Minister to reconsider. During 1982, the Institute was experiencing difficulties and problems in agreeing a budget with the Higher Education Authority. The budget allocated was in the order of 3.8 million Irish punts, which was
almost half a million less that which the NIHE needed to fund its operation, and the Governing Body was gravely concerned at the shortfall, and it was suggested that funds available from the pension scheme which all the staff had been paying into since 1970, were available to the Institute and under the Institute’s control. The Governing Body members suggested that this contingency fund, as it were, might be used to fund the shortfall. So it was agreed that this issue would be discussed with the Secretary and the Chairman of the HEA, who were going to visit the campus some week from the date of the meeting of the Governing Authority and the Governing Authority agreed that if the matter was not satisfactory resolved, the Chairman should seek an early meeting with the Minister for Education, if the matter couldn’t be resolved with discussion with the HEA. They also agreed that a brief public statement on the situation should be made to the press after the meeting, and that a more detailed exposition to the press of the financial difficulties should be deferred, pending a satisfactory resolution. That was a very serious issue.

Going back to the budget of 1983, I had met with Dr. Martin O’Donoghue, TD, who was Minister for Education, informally, and I briefed him on the serious financial situation that exists. I also informed him that the NIHE had contingency funds for a portion of which might be used to allocate to the budget for 1982. The Minister didn’t make any commitment but suggested perhaps consideration should be given to utilising the interest element of these funds. The Director stated that the Executive Board had discussed the situation on the previous day and proposed to the Governing Body that they should bring the following key points to the attention of the Minister: 1) that NIHE is the most cost effective centre for higher education, operating within the HEA with a state grant requirement of 1,645 Irish punts per student in 1982, and that the NIHE had plans for further increasing the cost effectiveness of the institution by adopting a set of measures which, while reducing the range of course options would ensure that academic standards are safeguarded and current enrolment levels are maintained. It was reiterated that NIHE graduates are of strategic importance to the economic development of the country and that the Minister must authorise the Governing Body to utilise during 1982, approximately 200,000 Irish punts of the contingency funds at its disposal to balance the
budget, and it was agreed that these proposals should be conveyed to the Minister as a matter of urgency and he should be advised of the consequences to the operation of the NIHE, if access to these funds weren’t permitted.

Reverting again to the NIHE, Limerick Act of 1980, and Section 9 of that Act, which tended to deal specifically with the appointment of staff, this was still an ongoing struggle for the two NIHEs with the Department of Education, and the Chairman and Directors of both organisations had met the Chairman and Secretary of the HEA to have further discussion on Section 9. The two Chairmen informed the HEA that counsel’s opinion had been received and both Governing Bodies felt that they had the legal entitlement to appoint individual staff to approved posts and to agreed salary scale, and that they felt that this was quite fundamental to the independent operation of both bodies. It became apparent during this discussion, that this whole issue had not been considered by the authority of the Higher Education Authority itself, and it was agreed that this whole question of autonomy and appointments should be put to the members of the Higher Education Authority. And it was agreed that that would happen on 17 May 1982, and it was understood that there was general agreement among the members of the Higher Education Authority that the NIHEs interpretation of the Act was a correct one, and Dr. Martin O’Donoghue, Minister for Education, at a meeting with the Authority on the same day, confirmed that the appointment of staff was clearly a matter for the Governing Bodies concerned. So there is some progress being made on this very thorny issue but again one can see the frustrations dragging out month after month after month. The three working groups I mentioned which were created by the Governing Body had now prepared draft reports, and the Governing Body appointed a sub group to integrate the three reports which mainly dealt with the issues of structures and staffing and resources in each of the three areas which were administrative and allied support services, co-operative education division and the library and computer services.

I: And this is 1983?
L.C.: This was May 1982. On the 10 June 1982, this first statutory Governing Body which was appointed for a year, that was the last meeting and that Governing Body went out of office after its meeting of the 10 June 1982. On the 22 July 1982, the second statutory Governing Body met for the first time and this Governing Body with a composition and membership very similar to the mix of the previous one – Paul Quigley again in the Chair, Dermot Whelan, Deputy Chair, all of the Chief Executives re-appointed but this time the letter appointing them from the then Minister for Education for a five year period, which would bring stability and continuity. So this was a historical landmark, the appointment of the first, five year statutory Governing Body, and in his letter to the Chairman of the Governing Body, the Minister, Dr. Martin O’Donoghue stated that it would be important, clearly an important period for the development of the Institute, but the development would have to take place against, and everyone can recall the difficulties of the ‘80s, would have to take place against a tight background of tight fiscal and monetary situation, and it would therefore be vital that the best possible use would be made of existing resources.

Obviously the Chairman assured the Minister that that would be the case. In his opening address to the Governing Body, the Chairman Paul Quigley reiterated many of the sentiments he expressed twelve months previously in relation to the function and responsibilities of the Governing Authority, the aims and objectives of the NIHE, the NIHE management structure and that the Governing Body was on top of this structure but it must recognise and accept the vital roles of other elements of the structure. He also advised the members that membership of the Governing Authority conferred obligations on them and again reiterated to the sensitive matter of confidentiality. They considered the title of the Chief Executive which is Director, and in conformity with the practice of other universities, they created a select committee to look at this, and the report of the committee recommended that the Director’s title should be changed to President which would conform to other university colleges nationally and internationally. So that was a key change in the title.
The Governing Body at its September meeting, 1982, reverted to consideration of the financial situation and its proposal to use approximately 200,000 of the contingency superannuation fund for the current expenditure in 1982. A letter was received from the Minister for Education saying that this cannot be approved. So the Chairman replied to the Minister for Education, expressing grave disappointment with the Minister’s decision. He also advised the Minister that to date, the Institute had cut back on planned expenditure for 1982, to a level which could not be held for long without major damage to the Institute’s ability to deliver the results expected of it. The Governing Body decided to ask for a meeting with the Minister for Education so that they could discuss in detail with him the implications of his decision not to permit them to use the 200,000.

In its October ’82 meeting, the Governing Body considered a question of staffing and a letter which it had received from the HEA dated, 18 October 1982, stating that the Authority has been informed that the decision of the government of the 23 December 1981 on the non filling of vacancies in the Civil Service and across the public sector relates also to the higher education sector. In other words, this was an embargo on staff, which due to the severe economic state of the country, was in operation, and we were now being informed that that applied to the university sector and to ourselves with the following limited exceptions. Exceptions to the embargo were identified where available resources permitted, these were 1) minimum necessary adjustment in academic staff in response to growth in student numbers. So if you were growing your student numbers you would be permitted a limited increase in academic staff, to service these numbers and minimum necessary adjustment in numbers of ancillary staff employed to meet the needs of the situation, in the case of new premises and new programmes of study. So that was some relief in very difficult financial times, very similar to the times in which we live in today.

Again, union issues began to take a more prominent position at the end of ’82, not so much in relation to parity, because in most areas that had been established but in relation to either individual claims or small group claims, for example claims for permanency of eight members of staff, claims for re-grading, claims by senior lecturers for five per cent
increase to compensate for pension and at this stage what I reverted to before, Clause 8.6 in the university pension scheme now had become an industrial relations issue and would ultimately be referred to the Labour Court. So union business returning again, but in a different sort of way. I’d mentioned in previous discussions that in relation to the whole question of parity in union business of different groups it was very difficult for the NIHE representatives at the Labour Court to refrain from indicating to the court that while the Department of Education’s view was this, the view of local management, i.e. the NIHE was, in general, supportive of the claims and at many times I had the difficult task of, in a diplomatic way, trying to convey this to the court, sometimes to the chagrin of the Department of Education and the Department of Public Service representatives.

But prior to Christmas 1982, the President had been asked by the Secretary of the Department to attend a meeting in Dublin. Present at that meeting were Jim Dukes, who was Secretary of the Higher Education Authority, a guy called Moloney who was Assistant Secretary, and our famous friend Ms Mary Maguire from the Department of Education; and then from the Department of the Public Service Mr Joe McGovern. And a question was raised in relation to NIHE management’s attitude to industrial relations. It was stated at the meeting that sometimes at the Labour Court, NIHE had adopted positions which were at variance with those of the Department of the Public Service and this division on the official side (which is the terminology for NIHE and the Department) was undesirable and they made particular reference to a claim I made earlier, in relations to a five per cent increase in salary claim by senior lecturers, to compensate them for the five per cent pension reduction.

Because the NIHE scheme was a contributory one, the university schemes were non-contributory so we were comparatively disadvantaged. The meeting noted that claims shortly to come before the Labour Court and NIHE was asked by the Education and Public Service to oppose the claim, or at least to remain silent during the Labour Court hearing at which the Department of Public Service would be putting forward the serious repercussive effect through the education system if this was granted. The President of NIHE stated that the claim was being made in the context of NIHE’s comparability with
NUI colleges. The Governing Body saw, and its predecessors also had asserted, that this comparability was necessary for the successful achievement of the NIHE mission and that the NIHE stand was solidly founded on ministerial statements, at the time of the establishment of the institution, and subsequently during the enactment of the NIHE legislation, to the effect that the NIHE was to be a body comparable in standing and complimentary in function to the established universities. The President also stated the fact that the five per cent increase had already been awarded to himself and other grades of the Institute as recognition that the relativity between the NIHE and the university college is accepted by the review body on higher remuneration in the public sector, and by the Labour Court. The President informed the meeting that he could not give a commitment to refrain from conveying the NIHE policy at the forthcoming Labour Court hearing prior to consideration of the matter at the January meeting of the Governing Body.

It was stated then that NIHE had allowed unreasonable claims which should have been dealt with internally, go forward to the Labour Court. This was a real hammer and tongs effort now. The President replied that he was surprised at this statement, as in dealing with a number of unreasonable claims, where relativity with the NUI colleges was not an issue, and the NIHE had generally taken a strong and clear cut line. Dismissal and threatened suspension of staff had been initiated internally, in response to action supporting some such claim. This whole matter of silence in the Labour Court in relation to the senior lecturer’s claim was considered by the Governing Authority and the Governing Body decided that it was appropriate to agree to silence as requested by the representative of the Department in view of the special plea which was made, but at the same time the Governing Body reaffirmed its intention to pursue the implementation in practice of the fundamental principles, that the NIHE should not be inferior in standing to the university colleges. That’s important to state that. It was a pragmatic decision on that particular case, but the Governing Body was not going to be deflected from continuing to aggressively pursue these comparability claims. The Minister subsequently visited the campus on the 6 April 1983, and the President made a presentation to her, highlighting the various matters of significance. She was very favourably disposed towards the
Institute and the relevance of the education being provided by the Institute and she accepted that there was a need for a review of the financing of higher education, and this was something we had been arguing with through various budgetary meetings with the Department. We felt that the percentage of the national financial cake being awarded to the NIHE vis a vis the other universities wasn’t comparable and we weren’t getting, given our specific mission and so on, we weren’t getting a relatively fair share of the cake; leading to the financial difficulties I’ve mentioned earlier, of the shortfall, and the attempt to use the contingency pension fund to make up the gap. In relation to comparability, which was ever the ongoing battle, ticking off each section bit by bit over the years rather than over the months, but the Labour Court finally issued a recommendation in relation to the computer staff, who sought parity with similar staff in UCC, virtually conceding the claim stating that the post of Director was comparable in both colleges and the post of analysts/programmers in three areas – system support, internal applications, academic applications, are comparable to Section Head in UCC and so on, down through the various areas within the computer division and the Court recommended that this be implemented.

So the Institute made proposals to the Higher Education Authority for the implementation and a response was being awaited. There was and still is, in fact, a privilege accorded to all the universities and the NIHEs at the time, that the children of staff would receive free tuition fees and in times of cutback, the government informed NIHE that it had decided to abolish this. The Governing Authority agreed to implement the government’s directive providing that contractual obligations to existing staff would be maintained. In other words anybody who had it would not have it taken away, but people who, in the future, would join the Institute, wouldn’t be given the remission. The Governing Body felt that in view of the existing contractual obligations staff who were appointed subsequent to the commencement of the Act and prior to the Governing Body meeting of today’s date and who are advised of their entitlement, should retain that entitlement as part of their existing conditions of service.

I: Was it used Leo?
L.C.: Oh, yes. I’ve got six children, Orla went to UCD, and three of them went to NIHE and they got free tuition. It was substantial, we tried to get it, between the established older universities there was reciprocity, but we tried to get reciprocity and nobody would agree to give it to us because they were so sensitive to government they didn’t want to widen it. So the only reciprocity that we managed to negotiate then was between NIHE, Dublin and ourselves and Thomond College, which is now gone.

I: And this was in the 1980’s?

L.C.: Yes. In 1983, the Governing Body considered a variety of letters which had been received from a particular officer in the Department of Education; I think we’ve mentioned this particular officer before, one of which was addressed to the Chairman. It was felt that the tone and content of the letters do not convey a sense of helpful concern, which would encourage those managing the Institute to creatively achieve the best possible results from available resources. As successive Ministers have urged Governing Bodies, but tend to focus obstructively on technicalities, which inhibit initiative and discourage creativity. This, I suppose, reaction, you know, highlights the frustration of the senior management team I think with great clarity, and the Governing Body was very concerned to learn of the situation and stated fully, that it fully supported the President in whatever action he considered appropriate in dealing with this correspondent. The Governing Body also agreed to endorse the initiative taken by the President, the faculty and the staff in the development of the Institute to date, and encourages their work in development further projects which will enhance the reputation and standing of the Institute.

So effectively the Governing Authority was in a sense, thumbing their noses at the whole tenor and tone of these letters and throwing their full support behind the senior management, the executive and the President. Around late ’83, the question of sabbatical leave surfaced again and the Institute received a letter from the HEA requesting that the existing sabbatical leave scheme be discontinued. This scheme had been in operation
since 1978, it was there from the time that the NIHE Limerick Act legislation was enacted and the Governing Body felt that the content of the letter was in conflict with the NBST (National Board of Science and Technology) policy, which emphasizes the value of sabbatical leave arrangements as an appropriate mechanism for technological transfer and keeping Ireland abreast of the best international developments. It was agreed that any decision to alter the operation of the well established sabbatical leave scheme was a matter for the Governing Body and that the Registrar should discuss sabbatical policy with the officers of the HEA and the NBST with a view to seeking further information and clarification on those policies. The Registrar did have discussions with the HEA and it would appear that the letter from the HEA of the 11 October, does not reflect the policy of the authority so the Governing Body decided then that they would not alter the existing policy in relation to sabbatical leave and the position was clarified. So they agreed to leave the sabbatical leave in place for the time being.

Another breakthrough, again in 1983, concerns the European Investment Bank where the Department of Finance advised the Institute that the European Investment Bank funds would be made available for the Phase 1B development. This was a major breakthrough, this was the first time that the European Investment Bank had agreed to fund an Irish university level institution, so it was a major breakthrough for the NIHE at the time. In January 1984, the Governing Body noted that the President had received an invitation from Minister Hussey to serve as Chairman of the Interim Curriculum Examination Board for a two year period and the Governing Body agreed that the Director should do it, approved of it and congratulated him on his appointment to this board which would have fundamental implications for the future of education in the country. Again, it was a tribute to the esteem and high regard the Director of the NIHE was held in government circles and nationally, and increasingly, internationally. The Plassey Technological Board now at this stage was up and running, and the President of NIHE, Ed Walsh was being elected as Chairman of the Board and the Governing Body endorsed and approved the President’s acceptance of this appointment which will have long term beneficial effects both locally and nationally.
In relation to the Academic Councils, the first and the second Academic Council, no basic changes were proposed in the mode of operation, our policies with regard to the composition or the membership. It was agreed that the membership should continue to be on an elected basis and that an ex-officio or appointed basis. It was agreed that the term of office of the second Academic Council would last from July ’84 to August ’87. Professors had now been appointed in each of the colleges since the creation of the first Academic Council, and it was important that these senior academics should be represented on the Academic Council; and it was proposed to make provision for Professors on the second Academic Council without significantly altering the composition of the first Academic Council. So it was agreed that Professors would be ex-officio members of the second Academic Council and it was accepted that as the numbers of Professors increased it may be necessary to arrive at a professorial membership as a category on the council but at that stage all professorial appointees were considered to be members of the Academic Council.

In 1984, a dispute emerged with the ASTMS in relation to the proposed move in relation to the Phase 1B development and the members of ASTMS refused to co-operate with the movement until outstanding staff grievances were satisfactorily negotiated. Meetings then took place to try and resolve the situation and a copy of an article appeared in the current weeks edition of the Limerick Echo regarding the issue, and the union apologised and said this was most unfortunate and that the article which appeared in the local newspaper, the ASTMS had informed the paper that its publication was irresponsible. And concern was expressed about communications within the organisation and in particular the implications of Phase 1B and staff conditions of employment. Concern was expressed generally, that the extensive new facilities being provided should be utilised, particularly in view of the pressure on such facilities in UCD, UCG and NIHE Dublin. It was stated that NIHE Limerick was in a privileged position in view of the extensive investment in Phase 1B, and it was agreed that it was the responsibility of management to manage the Institute and this prerogative cannot be delegated, and that management should deal expeditiously with the situation through the normal negotiation process. At its March meeting the Governing Body considered the ongoing problems with the movement into
Phase 1B and it was advised that after the last Governing Body meeting, intensive and lengthy negotiations took place with the Dean’s participation in an attempt to find a solution to the matters at issue. Senior managers were also involved in the negotiation process, when during the week it became apparent that the Institute was gradually becoming unmanageable and this led to the creation of the Managing Co-ordination Group, which is still in existence, which is a broad Institute wide management which serves as a communication forum. So we created this, so we could keep all of the senior managers informed of the impending industrial relations actions because it was becoming clearly the case that the Institute was gradually becoming unmanageable. It was decided to convey the potential serious nature of the problem to all staff by indicating that continuation of industrial action would lead to a situation where the Institute would cease to function effectively and in the event of the current industrial action not being lifted by the 6 March 1984, the Institute would have no option but to issue protective notice to staff effective from the 16 March 1984. That was the first serious major industrial relation problem that we experienced.

Discussions continued anyway to seek a resolution by the 6 March and no protective notice was issued and the building contractors were able to proceed with the scheduled work, and the movement to Phase 1B proceeded. As a result of this then, various issues were highlighted during the dispute and everybody agreed to take positive action in relation to them. The sort of issues that arose which acted as a kind of catalyst I suppose, it lanced a sore maybe, in relation to perhaps, communications within the organisation, perhaps were not as fulsome as they ought to be. So as a result of that dispute which tethered on the bring of closing, but didn’t close the Institute – work now commenced on drawing up a new procedural agreement with the ASTMS, and a series of meetings took place between senior managers and their faculty and staff to ensure that communications were strengthened and problems identified and resolved locally whenever possible.

Generally it was agreed to try and strengthen communications throughout different areas within the organisation. The President stated that he regretted that while good progress was being made on other issues it was necessary to again involve the Governing Body in
industrial relations problems because of an ultimatum regarding the employment of contract, portering staff, which had been issued towards the close of business on the previous evening and which again challenged the prerogative of the Governing Body through the executive to manage the Institute. The Chairman stated at this stage that the Governing Body had been briefed on firstly, the successful conclusion of the previous industrial dispute and secondly, the current ultimatum. It amuses me to reflect now that the President had a reputation for being pretty tough in relation to and aggressive in relation to industrial relations issues, but it was ironic that he was out of the country when the toughest decision of all was taken in his absence; to possibly close the Institute if staff didn’t comply with the move.