

Federation of University Teachers' Associations' Continuous Strike of 2012 July - Demands

14/06/2012

Summary

On 21st July 2011, Federation of University Teachers' Association (FUTA) suspended its trade union action following an agreement reached with Ministry of Higher Education (MOHE). The agreement was based on an interim proposal that had been handed over to the Ministry on the 7th of July 2011. Since then there has been a plethora of meetings between the MOHE and FUTA, the Salary and Cadre Commission, and the Ministry of Finance toward the fulfillment of FUTA's demands as outlined in the proposal. These demands proposed a two stage process. Stage-1 was to be implemented immediately and stage-2 subsequently.

Though FUTA entered into the process in good faith and was open to negotiations the MOHE has treated FUTA shabbily. Only a few demands included in stage-1 have been granted. Recommendations regarding the demands outlined in stage-2 and the discussions that began with the Ministry of Finance have borne no fruit despite the fact the negotiations went through several processes and the demands went through the UGC, Salaries and Cadre Commission to the Ministry of Finance. Yes, there was no progress whatsoever.

FUTA strongly condemns these reprehensible delaying tactics adopted by the MOHE. The displeasure of FUTA was clearly communicated to the Minister of Higher Education in writing on 09 January, 2012, 30 January, 2012 and 19 February, 2012. In response, the MOHE in its letter of March 06, 2012 stated that the agreements that FUTA had had with the Hon. Minister Basil Rajapakse and the Secretary to the Treasury, Dr. P. B. Jayasundara were merely 'perceived' agreements, implying that the government at the time of arriving at these agreements had no intention of keeping the promises made. They were merely delay tactics.

In registering our deep displeasure at this we note that the government has little commitment to education today. In 2005 the government's expenditure on education was 2.9 % of the GDP. In 2012 it is a miserable 1.9% of the GDP. In 2005, the government spent 0.52% of the GDP on the Universities. It has declined to 0.27% of the GDP in 2012. It is a grave concern of FUTA that education is such a low priority for the government.

FUTA has repeatedly requested a consultative mechanism in all matters with respect to reforms in the university system, university administration and in academic matters. FUTA is concerned about the increasingly interfering role played by the Minister of Higher Education and the politicisation and micro management of University administration. Further, despite repeated protests by FUTA, the MOHE is continuing with its practice of moving ahead with badly thought out and ad hoc education reform processes without carrying out any form of consultation with the University community and other crucial stakeholders in the country.

In this context FUTA at its Executive Committee meeting held on 22 March, 2012 unanimously decided to re-activate the suspended trade union action on the 26th of April 2012 with an island wide token strike, a procession and a rally in Colombo demanding in broad terms that

- A All outstanding FUTA demands be met immediately
- B The government give an assurance to FUTA and the public to safeguard and improve the state education system of the country.

These demands were communicated in writing to His Excellency the President on 16 April, 2012 and to the Minister of Higher Education on 18 April, 2012. These demands are founded upon the principle of the right of the people of this country to have a quality education that is accessible to all. The first demand directly pertains to the university education system of the country. In this regard, FUTA demands that the state University education system be uplifted through the improvement of conditions surrounding recruitment and retention of qualified university teachers. The second demand calls for an overall improvement of the entire state education system through a transparent and consultative process that involves all the stakeholders of the University System. This entails that the government increase spending on education and refrain from politically interfering in the governance of the system. For state funded universities this would amount to improving physical resources of universities, and creating a conducive academic environment free from politicization and militarization so that they could function as centers of excellence that are of international standard and at the same time socially relevant locally.

Specifically, FUTA demands that:

A Outstanding FUTA demands regarding measures that need to be taken toward Recruitment and Retention of Highly Qualified Academics be granted

- A.1 Considering the crucial role that academics play in developing the country's human resource capabilities, their specialized duties, and the stringent recruitment and promotion policy that they undergo, establish a **Sri Lanka University Academic Service (SLUAS)**.
- A.2 The immediate implementation of the remuneration step outlined in stage 2 of the interim proposal of 7th July 2011:
 - A.2.1 Provide an **increase to the basic salary by 20%, to be paid with effect from 1st Jan 2012**. All existing allowances should be paid with no conditions attached.
 - A.2.2 Provide an increase to the basic salary to be introduced in item A.2.1 above by 16.67%. This increased basic salary should be included in the 2013 Budget to the parliament, **to be paid with effect from 1st Jan 2013**. All existing allowances should be paid with no conditions attached.

B Assurance be given to safeguard and uplift State Education

An MOU be signed between FUTA, the MOHE and the Government that will:

- B.1 Delineate a course of action to increase government spending on education that will reach 6% of GDP within the next 2 years.
- B.2 Clearly state the government policy on state funded education
- B.3 Include an agreement to suspend all existing higher education reform processes until a proper consultative process involving all stakeholders and the public takes place.
- B.4 Include an agreement to refrain from the politicization and micromanagement of the Universities so that these institutions can thrive as autonomous institutions that would act as catalysts in the development of Sri Lanka.

Background

Over the years FUTA has observed a severe deterioration in the physical and human resources of state funded universities affecting the ability of our universities to provide a sound education to the cream of the crop of our young minds. This in turn negatively affects the quality of human resources available for the advancement of academic and intellectual pursuits in the areas of arts and sciences and the professional fields of studies and for the nurturing of active citizenry among its people.

FUTA has pointed out that Sri Lankan university academics are among the lowest paid academics in the world [1], [2] and that the physical resources available in the universities are abysmal. It pointed out that this was the leading cause for brain drain in the country. With this in mind, FUTA launched a campaign demanding that the government take immediate steps to improve the standards of the state universities by ensuring the recruitment and retention of highly qualified academics through the provision of a suitable remuneration scheme. The salary revision scheme proposed by Professor M. T. M. Jiffry and Professor Malik Ranasinghe in 2008 (the Jiffry-Malik Ranasinghe proposal) in consultation with the University Grants Commission (UGC), Ministry of Higher Education and FUTA was a culmination of these efforts. This proposal was submitted by the UGC through the Ministry of Higher Education to the National Salaries and Cadre Commission on 8th September 2008. In the absence of a response to this proposal, FUTA re-submitted it, on 13th August 2010, to the Treasury through the Ministry of Higher Education, while informing it that FUTA would resort to trade union action unless the Jiffry-Malik Ranasinghe proposal was implemented through the 2011 budget submitted to the parliament. As these demands were not addressed in the budget of 2011 to the parliament and in response to the continued indifference shown by the government, FUTA launched an unprecedented trade union action on the 15th March 2011, demanding the following:

1. Recognizing University Academics as a distinct professional category, with a new salary scheme.
2. The implementation of the salary proposal made by the Jiffry-Malik Ranasinghe committee
3. Immediate steps to be taken toward increasing spending on education up to 6% of the GDP.

We emphasized that these demands were based on the principle that recruitment and retention of the most qualified academics to the system was essential for the uplifting of the

standards of the state university education system of the country. While emphasizing the need to implement these demands as a matter of urgency, FUTA, demonstrating flexibility, submitted an interim proposal to be implemented in two stages on 7th July 2011 [3].

FUTA trade union action that was launched on the 15th March 2011 was a tremendous success. University academics emerged during this campaign as a powerful force that was capable of standing firm for its rights amidst many challenges and intimidations. The discourse that emerged in the few months of this period, on burning issues of University education in Sri Lanka, was extremely fruitful. This discourse revealed many other issues that had gone unnoticed. Most importantly it revealed that the state education system of the country was under immediate threat. The trade union action evolved into a powerful movement that vowed to protect state funded education in the country. As it drew the attention of the entire country to itself, the government agreed to implement interim proposal and FUTA suspended its trade union action on the 21st of July 2011.

Unfortunately the government was not sincere in honoring its agreement. Furthermore the actions of the government and the Minister of Higher Education have made quite clear their intention of compromising the autonomy, independence and further development of state universities; thus slowly but steadily paralyzing the effective functioning of the state university system in the country.

The Need for Re-activation of Trade Union Action

Only a few demands listed under stage-1 in the interim proposal [3] have been met and those too only partially. The very important demands coming under stage-1 that have not been met at all are as follows:

- a recognizing academics as a special category of professionals with a new salary scheme
- b the signing of an agreement delineating the implementation of the full proposal of the Jiffry-Malik Ranasinghe committee
- c restoring all privileges and conditions previously enjoyed by University Academics
- d repealing Circular 955 of 28th April 2011 (entitled 'Reckoning of allowances for the purpose of computation of universities provident fund, employees trust fund and payment of gratuity')
- e Making official representation by FUTA mandatory at any education and higher education related reform processes

Furthermore the demands listed under stage-2 are yet to be even considered by the authorities.

To the contrary, the Ministry of Higher Education went to the extent of claiming that the agreement reached with Hon. Minister Basil Rajapakse and Dr. P. B. Jayasundara at the time of suspension of the trade union action was merely a 'perceived' agreement [4]. We emphasize that even some of the long outstanding and mundane demands such as the increase of examination and visiting lecturers' fees that had not been revised in the last 17 years and the provision of a subsidized loan scheme were implemented only recently; that too only after FUTA announced its re-activation of its trade union action on 22nd March 2012. In fact the agreement at the time of suspension of the trade union action on the 21st of July 2011 was that these demands would be immediately met with.

Most recently, the grade one admission list submitted by FUTA was not honored in its entirety and FUTA officials who visited the Ministry of Education to resolve some of the issues were verbally abused by a functionary, the Secretary to the Ministry of Education, who falsely accused the academics concerned of making death threats toward him.

One of the key demands outlined in stage-1 of the interim proposal that was agreed upon and was to be implemented immediately was that official FUTA representation be made mandatory at any education or higher education related reform processes. The MoHE in clear violation of this demand and without proper consultation:

- i. Formulated in utter and inexplicable secrecy the so called non-state universities act. The act was temporarily shelved following the successful island wide FUTA token strike of 17th January 2012.
- ii. Signed an ad-hoc MOU with CIMA and certain security firms in violation of the Universities Act by overriding the authority of University Councils to decide on matters regarding the control and administration of Universities.
- iii. Announced a loan facility for university students [5] while at the same time allocating undergraduate positions to foreign students under a scholarship scheme that offers an unprecedentedly huge monthly allowance. Such a scholarship scheme would result in a severe strain on the meagre resources available for local students, entailing drastic and arbitrary changes to the current education system,
- iv. Introduced the so called leadership training programme for university entrants run by the military in military installations. A sum of Rs. 200 million was spent on this programme in 2011 and the same program would be offered for the second batch of students although it is not clear if the program has been successful in achieving the objective of a university entry level orientation programme accommodating the needs of different faculties that the students would enter. These millions of rupees could otherwise have been spent toward enhancing the existing orientation programmes in the different faculties of the universities.

All these indicate that state funded education is in danger of losing its autonomy to the political whims of the MoHE.

The accolades that Sri Lanka has received since independence for its impressive social indicators has been the result of the establishment and protection of two basic institutions: free health and free education services. These two sectors have enabled Sri Lanka to meet two fundamental rights of its citizens without discrimination; many of the putatively developed countries are still trying to achieve these two cardinal pillars of welfare despite their wealth. Hence this is an achievement of great distinction and therefore needs to be protected at all cost.

However, it is with dismay that we observe that the current government appears to be gradually letting one of these pillars of post independent Sri Lankan society, namely, state education, weaken. The government's expenditure on education that was 2.9% of the GDP in the year 2005 has declined in 2012, to 1.9% of the GDP. As FUTA, our primary intention at this moment is to call a halt to the damage being wrought on the state funded higher education system. However, we must note here that we are equally disturbed by the deterioration of the primary and secondary education sectors, recently epitomized by the Advanced Level examination related Z-Score fiasco. The present situation of the entire free education sector is best described as tragic. The present education system in the country is marked by its lack of

maintenance of quality, lack of overall development of school children, poor functioning of the examination department, politicization of all administrative appointment of the administrative service of the Ministry of Education (down to the appointment of a school subject inspector), inability to find a lasting solution to develop rural schools and allowing the closure of rural schools on the premise that there aren't enough students to run the school etc. The policies of the present government have affected the development and the very existence of this system, thereby affecting the right of all students, poor or rich, to obtain the highest possible education and to excel in their careers by aiming for the top most positions in the state or private sectors.

With respect to state university education, the government and the Minister of Higher Education are acting in a manner that would compromise the autonomy and independence of universities which would slowly but steadily paralyze the effective functioning of the state university system.

In the above context we observe the following with grave concern:

- a) Decrease in the allocation of funds for education and higher education since the year 2005. In 2005, state spending on universities was 0.52% of GDP (with 2.9% of GDP for the entire education sector). This has declined by 2010 to 0.27% of the GDP for universities and 1.9% of the GDP for education as a whole. The current allocation of 1.9% of the GDP is far below the norm for many developing countries, and even less than that of the poorest countries in the world, for instance, sub-Saharan African countries. The current allocation is lesser than the allocation in the previous years [6].
- b) The slashing of budgets for capital and recurrent expenditure of universities (with as high as 30% slashed in some recent instances [6]).
- c) The withholding of certain funds that were managed at the university level previously for no obvious reason.
- d) Facilitating the entry of private higher educational institutions such as CIMA into the university system (through providing subsidies again from funds allocated for improving the quality of tertiary education) in a manner that would undermine existing educational programmes in the universities.
- e) Politicization of the entire state funded university system, which has reached alarming proportions. The Minister of Higher Education is playing an increasingly interfering role in even the most mundane of its affairs (i.e micromanagement) in violation of the Universities Act.
- f) Further compromising university autonomy and academic freedom by issuing circulars requiring university academics to obtain approval from the Secretary to the Ministry of Higher Education prior to attending workshops, conferences, meetings etc. organized by parties other than state organizations.

- g) The deliberate derogatory comments made by the Minister of Higher Education about universities designed to undermine the confidence the public has in state funded education.

Following the agreement between the FUTA and Ministry of Finance at the time of the suspension of the TUA in 21st July 2011, and in course of numerous meetings FUTA had with the MOHE, Salaries and Cadre Commission and the Ministry of Finance FUTA communicated these concerns to them. Since none of these meetings produced any satisfactory result and it was clear to FUTA that the authorities were riding rough shod over FUTA's demands and concerns, FUTA communicated these concerns in writing to the Minister of Higher Education on 09th January 2012 [7], 30th January 2012 [8] and 19th February 2012. The response that FUTA received from the Ministry of Higher Education on 06th March 2012 was a statement [4] that the agreements reached with the Hon. Minister Basil Rajapakse and the secretary to the treasury Dr. P. B. Jayasundara were merely 'perceived' ones, implying that these agreements were of no value.

The Demands

The awareness that was created during the successful trade union action of 2011 and the sequence of events that have unfolded since its suspension, make it clear that the demand for a better remuneration scheme to enhance recruitment and retention of highly qualified academics that would uplift the standards of the state universities has to be recast in a broader perspective. It has become clear that enhancing recruitment and retention by itself is not sufficient to improve the conditions of state university education. The steady decline of government spending on education since 2005 [6], the ever increasing politicization of the entire university system, the willful acts of the government and the Ministry of Higher Education toward de-stabilizing and undermining the credibility of the entire state university system are also crucial impediments that need urgent remedial attention.

These concerns were conveyed to the authorities during the overwhelming number of meetings held subsequent to the suspension of the trade union action on 21st July 2011. But they bore no fruit. In this context FUTA at its EXCO meeting held on the 22nd of March 2012 unanimously decided to re-activate the suspended trade union action on the 26th of April 2012. The basis and the demands of the revived FUTA trade union action were conveyed to His Excellency the President [9], the Minister of Higher education [10], and to the public in the FUTA media statement on the 27th of March 2012 [11]. In the absence of any response to these demands and the ill-treatment received at the hands of the Ministry of Education regarding the honoring of the FUTA submitted grade one admissions list, FUTA in its EXCO meeting, held on 29 May,

2012, unanimously agreed to go on a continuous strike beginning on 4 July, 2012 until all of FUTA's demands were met.

All the demands put forward by FUTA are founded upon the principle of protecting and uplifting state education and can be broadly categorized as:

- A. Outstanding FUTA demands related to enhancing recruitment and retention of the best qualified academics
- B. Safeguarding the state education system

A. Enhancing recruitment and retention of the highly qualified academics

- A.1 Considering the crucial role the academics play in developing the country's human resource capabilities, their specialized duties, and the stringent recruitment and promotion policy that they undergo, establish a **Sri Lanka University Academic Service (SLUAS)**.
- A.2 The immediate implementation of the remuneration step outlined in the interim proposal of 7th July 2011:
 - A.2.1 Provide an **increase to the basic salary by 20%, to be paid with effect from 1st Jan 2012** (refer to Table-03 in the Appendix). All existing allowances should be paid with no conditions attached.
 - A.2.2 Provide an increase to the basic salary to be introduced in item 3 above by 16.67% (refer to Table-04 in the Appendix). This increased basic salary should be included in the 2013 Budget to the parliament, **to be paid with effect from 1st Jan 2013**. All existing and proposed allowances should be paid with no conditions attached.

B. Safeguarding and uplifting state education

To arrive at an MOU with the government and the MoHE that will:

- B.1 Delineate a course of action to increase government spending on education that will reach 6% of the GDP within the next 2 years.
- B.2 Clearly state the government policy on state funded education
- B.3 Include an agreement to suspend all existing higher education reform processes until a proper consultative process involving all stakeholders and the public takes place.
- B.4 Include an agreement to refrain from the politicization and micromanagement of the Universities so that these institutions can thrive as autonomous institutions acting as catalysts in the development of Sri Lanka.

References

- [1] L. E. Rumbley, I. F. Pacheco, P. G. Altbach, "International Comparison of Academic Salaries - An Exploratory Study," in *Center for International Higher Education, Boston College*, October 2008.
- [2] "Article by Science Teachers Association, Peradeniya," in *The Island News Paper*, 25th May 2011.
- [3] "FUTA Interim Proposal," 7th July 2011.
- [4] "Letter by MoHE Regarding FUTA Demands," 06th March 2012.
- [5] "Loan facility for University Students," in *The Island News Paper*, 15th April 2012.
- [6] P. A. Kumarage, "The Threat at Our Door Step," in *FUTA Public Rally*, 26th April 2012.
- [7] "FUTA letter to the MOHE titled Action for renegeing the commitments made to University Academics," 9th Jan 2012.
- [8] "FUTA communique with the MoHE titled Proposed Salary Increments for University Teachers," 30th Jan 2012.
- [9] "FUTA Letters to His Excellency the President titled Saving Higher Education of Sri Lanka," 16th April 2012.
- [10] "FUTA Letter to the Minister of Higher Education Titled TUA on April 26," 18th April 2012.
- [11] "FUTA Media Statement," 27th March 2012.

Appendix – 1: Proposed salary tables, excluding benefits.

Table 1. Proposal Submitted to the Salaries and Cadre Commission by the UGC in 2008 (Jiffry-Malik Ranasinghe UGC committee proposal)

Post	Scale	Present Salary of Academics	Central Bank Salary	Proposed salary for Academics (in 2008)	25% Academic allowance	Total Gross	Proposed Increment
B-01 (a) Senior Professor	U-AC 5 (I)	57,755	150,000	135,000	33,750	168,750	1,750
B-01 Professor	U-AC 5 (II)	50,905		120,000	30,000	150,000	1,600
B-02 Associate Professor	U-AC 4	45,850	120,000	108,000	27,000	135,000	1,500
B-03(a) Senior Lecturer-I	U-AC 3 (I)	42,650	80,000	100,000	25,000	125,000	1,500
B-03 Senior Lecturer-II	U-AC 3 (II)	37,650	75,000	88,000	22,000	110,000	1,300
B-04 (a) Lecturer(Confirmed)	U-AC 3 (III)	33,450	63,000	78,000	19,500	97,500	1,100
B-04 Lecturer Probationary	U-AC 3 (IV)	26,900	40,000	44,000	11,000	55,000	1,100
B-05 Temporary Lecturer	U-AC 2	25,145		40,000	10,000	50,000	Fixed
B-09 Demonstrator	U-AC 1	20,755		32,000	8,000	40,000	Fixed

Table 2. Proposed **Interim Salary Scheme** to be implemented with effect from January 2011

Post	Scale	Basic as of Dec-31, 2010	Academic Allowance %	Academic Allowance	CoL 5,250	Common increment 5%	R&D allowance 25%	Gross
B04 Lecturer (probationary)	U-AC 3 (IV)	26,900	41.25	8,406	5,250	1,345	6,725	51,316
B04a Lecturer (confirmed)	U-AC 3 (III)	33,450	90	30,105	5,250	1,673	8,363	78,840
B03 Senior Lecturer –II	U-AC 3 (II)	37,650	90	33,885	5,250	1,883	9,413	88,080
B03a Senior Lecturer –I	U-AC 3 (I)	42,650	90	38,385	5,250	2,133	10,663	99,080
B02 Associate Professor	U-AC 4	45,850	90	41,265	5,250	2,293	11,463	106,120
B01 Professor	U-AC 5 (II)	50,905	90	45,815	5,250	2,545	12,726	117,241
B01a Senior Professor	U-AC 5 (I)	57,755	80	46,204	5,250	2,888	14,439	126,536

B09 Demonstrator	U-AC 1	20,755	10	2,076	5,250	1,038	0	29,119
B05 Temporary Lecturer	U-AC 2	25,145	10	2,515	5,250	1,257	0	34,167

Table 3. To be implemented with effect from January 2012.

Post	Scale	Increase in Basic salary 20%	New Basic Salary at Jan 1, 2012	Academic Allowances %	Academic allowances	CoL Allowance *	25% R & D Allowance	Gross at 2012 Jan
B04 Lecturer (probationary)	U-AC 3 (IV)	5,380	32,280	55	17,754	5,250	8,070	63,354
B04a Lecturer (confirmed)	U-AC 3 (III)	6,690	40,140	80	32,112	5,250	10,035	87,537
B03 Senior Lecturer –II	U-AC 3 (II)	7,530	45,180	80	36,144	5,250	11,295	97,869
B03a Senior Lecturer –I	U-AC 3 (I)	8,530	51,180	80	40,944	5,250	12,795	110,169
B02 Associate Professor	U-AC 4	9,170	55,020	80	44,016	5,250	13,755	118,041
B01 Professor	U-AC 5 (II)	10,181	61,086	80	48,869	5,250	15,272	130,476
B01a Senior Professor	U-AC 5 (I)	11,551	69,306	75	51,980	5,250	17,327	143,862

B09 Demonstrator	U-AC 1	4,151	24,906	20	4,981	5,250	0	35,137
B05 Temporary Lecturer	U-AC 2	5,029	30,174	20	6,034	5,250	0	41,458

* Cost of Living (CoL) Allowance should be adjusted on a par with the annual rate of inflation

Table 4: To be Implemented with effect from January 2013.

Post	Scale	Increase in Basic salary 16.67%	New Basic Salary at Jan 1, 2013	Academic Allowances %	Academic Allowances	CoL Allowance *	25% R&D Allowance	Gross at 2013 Jan
B04 Lecturer (prob)	U-AC 3 (IV)	5,810	37,660	40	20,713	5,250	9415	73,038
B04a Lecturer (confirmed)	U-AC 3 (III)	7,225	46,830	80	37,465	5,250	11,707	101,252
B03 Senior Lecturer –II	U-AC 3 (II)	8,132	52,710	80	42,169	5,250	14,927	113,306
B03a Senior Lecturer -I	U-AC 3 (I)	9,212	59,710	80	47,769	5,250	15,098	127,656
B02 Assoc Professor	U-AC 4	9,904	64,190	80	51,353	5,250	16,047	136,840
B01 Professor	U-AC 5 (II)	10,995	71,267	80	57,013	5,250	17,817	151,348
B01a Senior Professor	U-AC 5 (I)	12,475	80,857	75	60,643	5,250	20,214	166,964

B09 Demonstrator	U-AC 1	4,483	29,057	20	5,811	5,250	-	40,118
B05 Temporary Lecturer	U-AC 2	5,431	35,203	25	8,800	5,250	-	49,254

* Cost of Living (CoL) Allowance should be adjusted on a par with the annual rate of inflation