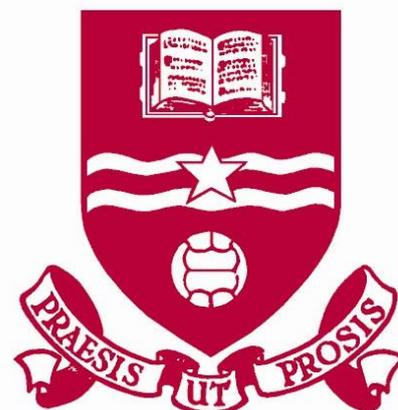


# LEAVE POLICY DE LA SALLE COLLEGE WATERFORD 2018/2019



## **Mission Statement**

De La Salle College Waterford aims to protect the well-being of its students and staff by providing a safe and nurturing environment at all times. De La Salle College, Waterford is an all-boys Catholic school. The school's mission statement is informed by the educational and spiritual principles of St John Baptist De La Salle and commits the school to being *"a learning community where all students are valued and educated in preparation for a meaningful life."*

## **Adoptive Leave for Teachers**

Adoptive leave is a statutory leave of absence from employment for teachers who are adopting parents.

All adoptive parents have an entitlement to 24 consecutive weeks adoptive leave, plus the option to avail of an additional period of 16 weeks unpaid adoptive leave.

For further information on the Adoptive Leave Entitlements for Teachers please see **Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools**, at link: [Adoptive Leave Entitlements for Teachers \(See Appendix 1\(a\)\)](#)

### **How to Apply**

Teachers must complete the application form at **Appendix 1(b)** and return to their employer (i.e. Board of Management) at least six weeks in advance of commencement of the leave.

## **Scheme for Leave of Absence Following Assault**

Leave of absence under this scheme may be granted to a teacher who is unable to perform his/her duties due to physical injury following an assault in the course of the teacher's duties and during approved school activities.

The incident giving rise to an application for leave under this scheme must not have been due to any negligence or any act or omission on the part of the teacher and all due procedures and protocols in regard to personal safety must have been adhered to.

The scheme for leave of absence following assault will operate on a pilot basis for 2 school years commencing the school year 2017/2018. (See **Appendix 2(a)**)

### **How to Apply**

Teachers must complete the application form at **Appendix 2(b)** and return to their employer (i.e. Board of Management) within a week of the incident occurring.

### **Bereavement Leave**

A school authority, may out of funds provided by the Department, pay the cost of a substitute teacher who is engaged to replace a member of its teaching staff whose absence is approved by the school authority arising out of the following:

- (a) Force Majeure Leave within the terms of Circular 17/99. (See **Appendix 3(a)**)
- (b) Illness of a family member who is certified by a medical practitioner as requiring constant care and attention for the period of recuperation from the illness
- (c) Bereavement involving a family member

It should be noted that in accordance with circular letter 19/00 (b) & (c) above are subject to the following limits: (See **Appendix 3(b)**)

5 days leave in the case of a spouse, child or parent.

3 days leave in the case of a brother, sister, grand-parent, aunt, uncle or parent-in-law.

Please note that in the case of bereavement leave the leave must be taken immediately following the date of the bereavement. Substitute cover is provided by the Department in such cases.

### **Career Break Scheme for Teachers**

The Career Break Scheme provides employees with an option to avail of a leave of absence from school, without pay, for a minimum period of 1 year.

Some of the main objectives of the scheme include (but are not limited to) education, personal development and childcare.

The maximum duration of any one absence on career break is 5 years.

The overall maximum absence in the course of a teaching career is 10 years.

For further information on the Career Break Scheme for Teachers please see Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools, at link: Career Break Scheme for Teachers Edition 2, Chapter 8 (See **Appendix 4(a)**)

### **How to Apply**

Teachers seeking a career break must submit a letter of application to their employer not later than the 1st of February of each school year prior to the school year in which they propose to commence/continue the career break.

### **IMPORTANT NOTE:**

In response to issues raised in relation to teacher supply, certain restrictions imposed in the Career Break Scheme will be suspended for the remainder of the current school year 2017/18. Schools may now employ teachers who are on a Career Break to cover in a substitute capacity without the restrictions imposed in Paragraph 5.1, Chapter 8 (Career Break Scheme) of the Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools.

See Information Note: Changes to Career Break for 2017/2018 School Year (**Appendix 4(b)**)

## **Carers Leave**

Carers' leave is a statutory leave of absence providing the option to employees to leave their employment temporarily to provide care for someone in need of full-time care and attention. The person being cared for must be deemed to be in need of full-time care and attention by a deciding officer of the Department of Social Protection.

For further information, please see: Carer's Leave Scheme, Edition 2, Chapter 10 (**Appendix 5**)

### **How to Apply**

In conjunction with a Department of Employment Affairs and Social Protection assessment, applications must be submitted in writing to the employer (Board of Management) at least six weeks prior to the proposed commencement date.

## **Personal Days**

Voluntary secondary and community & comprehensive school management may grant special leave to a teacher for up to five school days in a school year for any reason which they may consider sufficient. Substitute cover is not paid by the Department of Education and Skills.

### **How to Apply**

Teachers must submit a written application to their employer (i.e. Board of Management).

## **Elected Representatives Leave**

### **Oireachtas**

The past conditions that existed in relation to Oireachtas leave no longer apply to teachers. For those seeking an approved period of absence for the purpose of Oireachtas leave you must now make an application for a Career Break.

For further details on the Career Break scheme please refer to Terms and Conditions of Employment for Registered Teachers Edition 2- Chapter 8 (**See Appendix 4(a)**)

In the case of a teacher who is a candidate for election as a TD in a General Election, unpaid leave will be granted for all days from the date of the candidate's lodgement of his/ her nomination papers up to and including the day(s) of the count. In these cases substitution cover will be paid by the Department.

### **Local Elections**

Teachers who are candidates in the local authority elections are entitled to leave on the election day.

### **Public Bodies**

Teachers who are members of County Councils or statutory local bodies may absent themselves for up to 10 days in each school year for the purpose of attending meetings arising out of their membership of such bodies. This is paid leave and a substitute is not provided by the Department of Education and Skills. The permission of the Manager/Principal is necessary.

## **Force Majeure Leave / Illness of a Family Member Leave**

### **Force Majeure Leave**

Circular 17/99 covers Force Majeure Leave which allows for a maximum of 3 days in each 12 month rolling period or 5 days in each 36 month rolling period. **(See Appendix 3(a))**

This leave covers situations where, for urgent family reasons, the immediate presence of the employee is indispensably required at the place where the family member is.

### **Illness of a Family Member Leave**

Circular 19/00 allows for illness of a family member leave of 5 days in a school year in the case of a spouse, child or parent OR 3 days in a school year in the case of a brother, sister, grand-parent, aunt, uncle, or parent-in law. **(See Appendix 3(b))**

When applying for this type of leave the teacher must provide certification from a medical practitioner stating that the family member concerned requires constant care and attention for the period of recuperation from the illness.

The first day of each absence due to Force Majeure leave / Illness of a family member leave is covered under the Supervision and Substitution scheme and there is paid substitution provided by the Department of Education and Skills for any subsequent days.

It should be noted that the maximum periods of leave between Force Majeure Leave and Illness of a Family Member Leave cannot exceed 5 days in a school year.

## **Jury Service Leave**

Under legislation, a secondary teacher is obliged to serve on a jury, if summoned, unless he/she can produce a letter for the County Registrar, that the school authorities deem that the teacher's presence in school is essential for the purpose of teaching and supervising his/her classes. The acceptance of such a letter is at the discretion of the Registrar.

A substitute may be employed for the period of jury service and Department recoupment will be made.

## **Marriage Leave**

Seven consecutive calendar days leave may be granted to those teachers who get married during the school term. These seven days include Saturday and Sunday and must include the date of marriage. This week cannot be extended on the grounds that the school was closed during the week for a Church Holiday, public holiday, etc., i.e. if the first day of marriage leave absence is on a Monday and the school is closed on the following day for a Church Holiday, the teacher must resume duty on the following Monday. In the case of a teacher marrying during the vacation period he/she must resume duty one week following the date of marriage, or the day on which the school re-opens after vacation, whichever is the later.

There are no Department provisions for the payment of a substitute to cover the teacher taking marriage leave.

## **Maternity Leave**

Maternity leave is a statutory leave of absence from employment for teachers. All pregnant teachers, who reach their 24th week of pregnancy, are entitled to 26 weeks maternity leave and 16 weeks additional unpaid maternity leave.

For further information on the Maternity Protection Entitlements for Teachers please see Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools at link: Maternity Protection Entitlements for Teachers, Edition 2, Chapter 4 (See **Appendix 6(a)**)

### **How to Apply**

Teachers must complete the application form at **Appendix 6(b)** and return it to their employer at least six weeks in advance of commencement of the leave.

## **Parental Leave Entitlements for Teachers**

Parental Leave is a period of unpaid leave available to teachers for the purpose of caring for their children.

Teachers are entitled to 18 weeks parental leave in respect of each child up to age of 13 years and 16 years in the case of a child with a disability. There is no obligation however to take the full 18 weeks leave.

For further information on the Parental Leave Entitlements for Teachers please see Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools, at link: Parental Leave Entitlements for Teachers Edition 2, Chapter 7 (See **Appendix 7(a)**)

### **How to Apply**

Teachers must complete the application form at **Appendix 7(b)** and return to their employer at least six weeks in advance of commencement of the leave.

## **Paternity Leave**

All Teachers and Special Needs Assistants will be entitled to a period of two consecutive weeks paid leave on the birth/adoption of a child, where the date of birth /date of placement falls on or after 01 September 2016.

For Further information please see: Paternity Leave Scheme, Edition 2, Chapter 5 (See **Appendix 8**)

### **How to Apply**

All Teachers and Special Needs Assistants who wish to avail of this leave are advised that they must apply to their employer in writing four weeks in advance of intending to take such leave.

## **Sick Leave for Scheme for Teachers**

Leave may be granted to teachers who are unable to attend work because of illness or injury.

For further information on the Sick Leave Scheme for Teachers please see Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools at link: Sick Leave for Teachers, Edition 2, Chapter 3. **(See Appendix 9(a))**

Following the Public Service Sick Leave Review conducted by the Department of Public Expenditure and Reform (DPER) and agreement of recommendations regarding Critical Illness Provisions (CIP) with the Public Service Associations, the Sick Leave Scheme for teachers as published in Edition 2 of the “Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools” is to be revised with effect from 31st March, 2018. Circular 0025/2018 details the changes to the Sick Leave Scheme.

See Also

Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools **(See Appendix 9(b))**

Circular 0025/2018 - Sick Leave Scheme for Teachers - changes to Critical Illness Provisions (CIP) from 31st March, 2018 **(See Appendix 9(c))**

Carecall Ireland: [www.inspirewellbeing.org/workplaces](http://www.inspirewellbeing.org/workplaces)

Medmark for Teachers: <https://www.medmark.ie/teachersna/>

Occupational Health Strategy **(See Appendix 9(d))**

Information note regarding Illness/Injury Benefit for Permanent CID Temporary and RPT Staff paying full rate PRSI Class A **(See Appendix 9(e))**

## **Sport Leave**

Leave for teachers who wish to take part in sporting activities must primarily be sanctioned by the relevant school authority. Formal application should then be made to the Department of Education and Skills. Sport leave is normally approved by the Department only in circumstances where the teacher is participating at international (or similar) level and an affiliation to the Irish Sports Council exists.

The following applies in connection with the release of teachers from school duties, in order to enable them to tour with GAA teams and similar conditions apply for other sports:

The tour must be one of those that has been specified by the Department of Education and Skills and the GAA Central Council, as an approved tour,

The teacher must have secured the prior approval of the Manager/Principal,

The teacher will be paid full salary and allowances for the period of the absence,

The teacher must arrange for the employment of a qualified substitute where possible at his/her own expense.

## **Study Leave**

The provision for Study Leave under the old terms no longer applies. For those wishing to avail of any type of study leave an application must be made for a career break.

For further details on the career break scheme please refer to Terms and Conditions of Employment for Registered Teachers Edition 2 - Chapter Eight. (See **Appendix 4(a)**)

### **Unapproved Leave**

In the case of absence from school (other than approved absence) on days on which the school is open during a particular month, a proportional deduction in respect of such absence shall be made in the incremental salary otherwise payable to the teacher. One day's unapproved absence may mean a loss of 1/365 of a year's credit for pension and gratuity purposes.

### **Unpaid Leave for Teachers**

Unpaid Leave for short-term absences from school for a teacher may be approved where:

In exceptional circumstances, an employer (i.e. Board of Management/ Manager/ Education and Training Board) is satisfied that there is compelling obligation on a teacher to be absent from duty. A period of unpaid leave (subject to a maximum of 10 days in a school year) may then be sanctioned.

For further information on the Unpaid Leave for Teachers please see Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools, at link:

Unpaid Leave for Teachers, Edition 2, Chapter 11(See **Appendix 10**)

### **How to Apply**

Teachers must apply in writing directly to their current employer.

### **Statutory Annual Leave /Public Holiday Entitlements**

Details relating to Annual Leave and Public Holiday Entitlements. Information on the accrual of Annual Leave while on Sick Leave.

For further information on Statutory Annual Leave/Public Holiday Entitlement please see Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary schools at link: Statutory Annual Leave /Public Holiday Entitlements, Edition 2, Chapter 2 (See **Appendix 11**)

### **See Also**

Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools (See **Appendix 9(b)**)

### **Job Sharing Scheme for Teachers**

The purpose of the Job Sharing Scheme is to assist teachers in combining work and personal responsibilities or choices. You may make an application to share a whole-time post on a 50:50 basis. The minimum period for which a job sharing arrangement may occur is one school year i.e. commencing on 1 September and ending on 31 August each year.

For further information on the Job Sharing Scheme for Teachers please see Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools, at link: Job Sharing Scheme for Teachers, Edition 2, Chapter 9 (See Appendix 12(a))

### **How to Apply**

Teachers interested in a job sharing position must submit an application to their employer not later than the 1st of February of each school year prior to the school year in which they propose to commence/continue a job sharing arrangement.

### **See Also**

Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools (See Appendix 9(b))

This Policy was ratified by the Board of Management on 21/05/2018

Signed:  \_\_\_\_\_

**Fergus Dunne**  
**Chairperson BOM**

Signed:  \_\_\_\_\_

**Margaret Betts**  
**Principal**

Date of next Review 21/05/2020