

## Career Breaks

<b>HR Policy Document Record</b>	
Reference Number	HRP020
Policy Owner	Human Resources
Approval Body	Human Resources
Creation Date	January 2019
Revision Date(s)	14 <sup>th</sup> May 2019, 14 <sup>th</sup> February 2020
Notes	May 2019: Amendment at 6.3; Amendments to Application Form  February 2020: Amendment at 2.1 & 2.2 to include Part-time

## **1. INTRODUCTION**

1.1 This policy outlines the policy and procedures for eligible staff in Technological University Dublin (hereafter referred to as “TU Dublin” and/or “the University”) who wish to apply for a career break from their post.

## **2. SCOPE**

2.1 Staff on whole-time/part-time permanent/indefinite duration contracts of employment who have satisfactorily completed a minimum of 12 months service and who have not reached 60 years of age may be granted a career break without pay.

2.2 Staff who have whole-time/part-time fixed term/specified purpose contracts that are expected to run for at least twelve months from the cessation of the approved period of the career break, who have satisfactorily completed a minimum of 12 months service and who have not reached 60 years of age may be granted a career break without pay.

2.3 If a staff member on a specified purpose contract of employment is granted a career break and their contract expires during this period, then both the contract and career break will expire concurrently.

## **3. GENERAL PRINCIPLES**

3.1 A career break may be allowed for reasons such as further education, domestic responsibilities, starting a business, other employment or a stay abroad. A career break cannot be granted for the purpose of taking up a job in the public sector; or in an organisation where the pensions transfer network applies; or where a state superannuation scheme is in operation. There must be no existing or potential conflict of interest between the activity or employment in which the staff member proposes to engage or engages during their career break and their employment with TU Dublin.

3.2 A career break may be for a period of 1 year to a maximum of 5 years. Subject to approval, this may be taken consecutively or intermittently throughout the staff member’s employment with the University but cannot exceed five years in total.

3.3 Having regard to backfill considerations, if a staff member believes they require a career break for more than 1 year, they are encouraged to apply for a career break for the duration required rather than applying for an extension on a year to year basis.

3.4 The duration of the career break may not extend beyond the minimum retiring age.

3.5 It is expected that a staff member would have satisfactorily completed their probationary period before applying for a career break.

3.6 For Academic staff, a career break is normally for the academic year ie 1 September to 31 August. In exceptional circumstances, the University may authorise a lecturer to commence a career break during the course of an academic year. In such an instance, the period from the commencement of the career break to the following 31 August, will be considered a 1 year career break.

3.7 The date on which a career break commences will be determined by the applicant’s manager who will, insofar as possible, accommodate the staff member’s preferred commencement date.

- 3.8 Where an application for a career break from a Professional, Management and Support Services staff member is approved, the staff member's annual leave balance will be recalculated up to the commencement date of the career break. Where it is found that a staff member has overtaken their annual leave entitlement, the overpayment amount will be brought to the attention of the staff member and the full amount owing will be deducted from final salary before commencement of their career break.
- 3.9 A staff member on career break remains an employee of TU Dublin and is subject to all relevant legislation and University policies and procedures.
- 3.10 While on career break, staff are welcome to apply for TU Dublin vacancies advertised both internally and externally. If a staff member on career break is recommended for appointment to a new post, they are expected to return to work and their career break ceased.
- 3.11 A career break will not count as service for the purposes of superannuation, annual leave or salary increments.
- 3.12 Staff on career break from TU Dublin may not undertake any other employment within the University.
- 3.13 A staff member on a career break who intends to resign from their post shall give TU Dublin notice in accordance with the terms of their contract of employment. Notifications to resign should be submitted in writing to Human Resources (HR) and copied to their relevant line manager.
- 3.14 A career break may be terminated by the University if it is not used for the purpose as outlined in this policy and the Career Break Application Form.
- 3.15 A staff member may be subject to disciplinary action if found to be abusing this Leave.

#### **4. APPLICATIONS**

- 4.1 An application for a career break will be considered having regard to the operational needs of the University and an applicant should not assume that their application will be facilitated.
- 4.2 It should be noted that an application for a career break from a Research staff member will be considered by the relevant line manager having regard to the operational needs of the University and more specifically the nature of the work determined by project funding and research requirements.
- 4.3 Staff wishing to take a career break must complete the **Career Break Application Form** which is available at the end of this policy.
- 4.4 The Career Break Application Form should be submitted to the relevant line manager **at least 3 months in advance of the commencement of the career break** for Professional, Management and Support Services staff, and **by 1 March prior to the beginning of the academic year** for Academic staff.
- 4.5 The relevant line manager and the staff member's most senior manager will consider an application having regard to operational needs and should advise the applicant of their decision within 8 weeks of having received the application. Refer to point 9 below regarding backfill arrangements.
- 4.6 If approved, the completed Career Break Application Form should be forwarded to HR for processing.
- 4.7 On receipt of the completed Career Break Application Form, HR will confirm in writing to the staff member and relevant line management the precise conditions of the career break and notify payroll to cease pay for the period of the career break.

## **5. EXTENSION APPLICATIONS**

- 5.1 An application for an extension to a career break must be submitted **at least 6 months** prior to the expiration date of a career break. At its discretion, the University may accept a lesser period of notice in exceptional circumstances.
- 5.2 Having regard to backfill considerations, if a staff member believes they require a longer extension to their career break they should apply for this duration rather than applying for an extension on a year to year basis. Refer also to 6.4.
- 5.3 Staff on fixed term/specified purpose contracts of employment who wish to apply for an extension to their career break must have a contract that is expected to run for at least 12 months from the cessation of the extended period of the career break. Refer also to 2.3.
- 5.4 An application for extension to a career break must be submitted in writing to HR who will seek the approval of relevant line management. HR will normally confirm the decision in writing to the staff member within 8 weeks of receiving the application for extension. **Staff should be aware that there is no guarantee that an application for an extension to a career break will be approved.**

## **6. RESUMPTION OF DUTY**

- 6.1 While staff may not return to the same post that they were in prior to taking a career break, they will retain the terms and conditions appropriate to their grade and return to the same campus they left unless otherwise agreed.
- 6.2 A staff member on career break is required to give **at least 3 months notice prior to the end date of a career break**, of their intention to resume duty. This notice must be submitted in writing to HR and copied to their relevant line manager.
- 6.3 Staff on permanent/indefinite duration contracts of employment who take a career break retain an entitlement to resume duty at their substantive grade on cessation of the approved period of the career break provided they submit written notice of intention to resume duty. If this written notice of intention to resume duty following career break is not submitted to HR at least 3 months prior to the end date of the career break, **it will be assumed that the staff member is not seeking to return to the University and this will be regarded by the University as a formal offer of resignation with effect from the last day of the career break. The effect of such resignation will be given in writing to the staff member by HR.**
- 6.4 Staff on fixed term/specified purpose contracts of employment will return on a fixed term/specified purpose basis to work out the duration/purpose of their contract. The regulations in force at the date of resumption will apply to the staffing position of the University.
- 6.5 Requests to resume duty earlier than the expected end date of a career break will be considered in the first instance by the line manager in consultation with HR.
- 6.6 Staff on career break for 2 years or more, will be required, prior to resumption of duties, to undergo a medical examination and be deemed medically fit by the University's Occupational Health Practitioner.
- 6.7 Staff will be required to have up to date Garda Vetting upon resumption of duties.
- 6.8 **Salary will only recommence upon resumption of duties.**

## **7. DEPARTMENT OF EMPLOYMENT AFFAIRS & SOCIAL PROTECTION**

7.1 It is advisable that staff going on career break maintain entitlements to social welfare benefits by payment of voluntary contributions to the Department of Employment & Social Protection. For further information, please contact the *Department of Employment Affairs & Social Protection, Records 13, Gandon House, Amiens Street, Dublin 1 (Phone 878 6444)*.

## **8. PENSIONS – RECKONING PERIOD OF CAREER BREAK FOR SUPERANNUATION PURPOSES**

8.1 Arrangements for the reckoning of career break periods as pensionable while on career break were introduced under *Department of Environment Circular S.8/90 issued on 12 July 1990*, subsequently amended by *Circular Letter 0125/2006*.

8.2 The rate to be applied is the normal lump-sum purchase rate applicable to the member concerned under the purchase scheme, determined by the member's age next birthday at the time the quarterly payment due is being calculated as outlined at paragraph 10 of Circular Letter 0125/2006.

8.3 If a staff member wishes to reckon the duration of their career break for superannuation purposes, please note the following options:

### **8.3.1 Quarterly Payment of Superannuation Contributions (Circular Letter S.8/90 & Circular Letter 0125/2006)**

Circular Letter S.8/90 provides for the payment by members of the Education Sector Superannuation Scheme of superannuation contributions while on career break/unpaid leave of absence. The calculation of contributions due to reckon this service has subsequently been amended by Circular Letter 0125/2006.

### **8.3.2 Purchasing Notional Service by lump sum contributions on resumption of duty (Circular Letter S.8/90 & Circular Letter 0125/2006)**

Staff may exercise a lump-sum purchase option at any time during their career subject to the following conditions:

- (i) only one such option may be made in any calendar year, and
- (ii) the minimum amount of lump-sum contribution which may be made in this way is 10% of the member's annual rate of salary, or, if less, the contribution required to purchase the member's potential shortfall in service below the maximum reckonable service of 40 years. In the case of work-sharers or members working part-time, "annual rate of salary" is the full-time rate of pay for the job, not the reduced work-sharing or part-time rate of pay,
- (iii) within six months of returning from a period of special leave without pay (in which case the period to be purchased may not exceed the period of special leave).

### **8.3.3 Purchasing notional service by periodic contributions on resumption of duty (Circular Letter S.8/90 & Circular Letter 0125/2006)**

An option to purchase additional years of service by periodic deduction from salary with reference to age 65 can be made at any time up to 63<sup>rd</sup> birthday. Similarly, as outlined in Circular Letter 0125/2006, an option to purchase additional years of service by periodic deduction from salary with reference to age 60 can be made any time up to 58<sup>th</sup> birthday. The deductions commence on next birthday following resumption of duty following the date of exercising this option and continue up to 60<sup>th</sup> or 65<sup>th</sup> birthday as appropriate. Only those with a minimum retirement age of 60 can purchase notional service with reference to age 60.

8.4 If a staff member chooses not to avail of the above options within the timeframes stated, the period of the career break will not reckon for superannuation purposes.

**9. BACKFILL ARRANGEMENTS**

- 9.1 Posts vacated by staff taking career breaks will be backfilled on a specified purpose basis.
- 9.2 Backfill appointments will cease a) when the staff member on career break resumes duty, b) if the staff member on career break is transferred/promoted to another position or c) if the staff member on career break ceases employment with the University.

**10. QUERIES**

Contact: Leave and Benefits Team

E-Mail: [Leaveandbenefits@tudublin.ie](mailto:Leaveandbenefits@tudublin.ie)

## CAREER BREAK APPLICATION FORM

This Form should be submitted to your line manager at least 3 months in advance of the commencement of the career break for Professional, Management and Support Services staff, and by 1 March prior to the beginning of the academic year for Academic Staff.

### To be completed by the Applicant

Name (in print): \_\_\_\_\_

Staff No.: \_\_\_\_\_

Function/School: \_\_\_\_\_

Home/Mobile Contact No: \_\_\_\_\_

Personal Email Address whilst on Career Break \_\_\_\_\_

Address for correspondence whilst on Career Break if different from current address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Dates for Career Break from \_\_\_\_\_ to \_\_\_\_\_  
(minimum 1 year)

### **Purpose of Career Break**

Further Education  Domestic Responsibilities  Starting a Business  Other Employment (excluding public sector)  A Stay Abroad  Other (provide details below)

\_\_\_\_\_  
\_\_\_\_\_

I confirm that there is no existing or potential conflict of interest between the activity or employment in which I intend to engage while on career break with my position with TU Dublin.

I understand that this Career Break may be terminated if it is not used for this purpose as outlined in this application and note that I may be subject to disciplinary action if found to be abusing this leave.

I have read and understand the TU Dublin policy and procedures for Career Breaks. I fully accept and agree to comply with same, and expressly the Pension related implications.

**Signature of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### To be completed by Relevant Line Management

We certify that we have approved this Career Break Application in accordance with the TU Dublin Career Break Policy.

**Commencement Date:** \_\_\_\_\_

**End Date:** \_\_\_\_\_

1) \_\_\_\_\_

**Date:** \_\_\_\_\_

2) \_\_\_\_\_

**Date:** \_\_\_\_\_

**To be completed by Relevant Line Management** (i.e. Head of School/Department/Function as appropriate)

I recommend that this application is approved / not approved in accordance with the TU Dublin Career Break policy.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**To be completed by HR**

This application is approved / not approved in accordance with the TU Dublin Career Break policy.

**Signature of Head of HR or nominee / HR Manager:** \_\_\_\_\_

**Date:** \_\_\_\_\_