

Guidance on leave arrangements –Covid 19

This guide is for staff summarising the requirements of Circular 0026/2020 - COVID-19 (Coronavirus) (dated 27 March) Delay Phase Arrangements for all Public Service employees

Introduction

The University is following current public health advice in relation to COVID-19. This procedure defines the University's approach to leave of absence and working arrangements during the COVID-19 outbreak, while following the advice of the Health Services Executive (HSE).

This document sets out the provisions of Circular 0026/2020 and is written to assist staff in understanding their obligations and entitlements with regard to leave arrangements during the COVID-19 (Coronavirus) - *Delay Phase Arrangements for all Public Service employees*. It provides simple guidance and links to available resources for staff and managers to manage leave during this emergency.

Special Leave with Pay

Special leave with pay may be granted where appropriate HSE or medical confirmation of COVID-19 diagnosis or recommendation to self-isolate or to restrict movements is provided, in accordance with the HSE Guidelines. The HSE criteria for self-isolation and restricted movement is set out at <https://www2.hse.ie/conditions/coronavirus/self-isolation-and-limited-social-interaction.html>.

Staff diagnosed with COVID-19 or directed by their GP or the HSE to self-isolate must inform their Head of School/Function personally by telephone, as early as possible on the first day of absence confirming the reason for their absence from work.

Staff must complete the COVID-19 Self-Declaration Form which can be found at **Appendix 1** of this document and send it back to their manager for recording purposes. The manager will send it to the HR department. The HSE or medical confirmation of COVID-19 diagnosis or recommendation to self-isolate or to restrict movements is required with the completed form. Any special leave with pay granted for the purpose of self-isolation or any diagnosis of COVID-19 will not count as part of a staff member's sick leave record. The application of special leave with pay will apply for the number of days advised by the HSE/doctor. This will be recorded as *Special Leave with Pay* on the staff member's attendance record. If special leave with pay is granted, staff will be expected to comply with any directions which may be given by the University.

The general principles applying to the management of sick leave, for example the requirement to contact managers, and for ongoing contact with staff who are on special leave with pay for this purpose will apply. Where a staff member is already on special leave with pay due to self-isolation and subsequently contracts COVID-19, the special leave with pay will continue for the duration of the illness, subject to medical certification being provided and the COVID-19 Self-Declaration Form being completed.

Self-Isolation

The HSE sets out the criteria for self-isolation at:- <https://www2.hse.ie/conditions/coronavirus/self-isolation-and-limited-social-interaction.html> .

Staff cannot voluntarily choose to self-isolate. Where HSE or medical advice is that the staff member must self-isolate **and** is displaying symptoms of COVID-19 or had a positive test then special leave with pay may be granted. In the event that written HSE or medical confirmation to self-isolate is unavailable, the staff member must complete the COVID-19 Self-Declaration Form which can be found at Appendix 1 of this document and share it with their manager for recording purposes.

The completed form must be forwarded by the staff member to their manager as soon as possible.

Restricted Movement

The HSE sets out the criteria for restricted movements at: - <https://www2.hse.ie/conditions/coronavirus/self-isolation-and-limited-social-interaction.html>

Staff cannot voluntarily choose to restrict their movements. Staff who have been advised to restrict their movements are considered available for work. The staff member should be assigned work and the line manager must therefore facilitate alternative working arrangements e.g. working from home. Where alternative working arrangements in the staff member's current role is not feasible, then they may be temporarily assigned to work within the University/wider Public Service. Further information in relation to temporary assignments will issue as necessary and appropriate.

At Risk Groups

The HSE advice on At Risk groups is at: <https://www2.hse.ie/conditions/coronavirus/at-risk-groups.html>

Staff should self-declare where they consider themselves at risk of serious illness from COVID-19. Where the staff member is not ill, alternative working arrangements will be prioritised e.g. working from home. Managers are encouraged to be flexible and creative in assigning duties to a member of staff that is in an at risk group.

Where alternative working arrangements in the staff member's current role is not feasible, they may be temporarily assigned to work within the University/wider Public Service. Further information in relation to temporary assignments will issue as necessary and appropriate.

Staff dealing with closures of a school/crèche due to COVID-19

Special leave with pay is not available for COVID-19 caring arrangements. Where such staff members can work from home this should be facilitated to the maximum extent feasible. Steps should be taken by staff and managers to consider the full scope for remote working and all opportunities and flexibilities need to be explored.

There are other flexible working options to consider in addition to home working arrangements. These arrangements can support staff to manage caring responsibilities at home (including facilitating shared caring arrangements with partner) and can support segregation of the workforce and social distancing measures. For example, alternative working patterns, flexible or staggered shifts and weekend working may be explored, where feasible

Ordinary Sick Leave

Under the terms and conditions of the University's Sick Leave Policy; [Sick Leave & Managing Absences HRP009](#) , ordinary illness should be recorded as sick leave. If a staff member is subsequently diagnosed with COVID-19, the special leave with pay can be retrospectively applied in lieu of Sick Leave. This scenario may occur because of the current delays in obtaining both tests and test results.

Temporary Assignment Circular Letter 0028/20

In accordance with Department of Public Expenditure and Reform guidance, staff who are not medically advised to self-isolate must be available to carry out work either to deliver services within the University (as a priority) or for temporary assignment within the wider Public Service. Some staff across the university were identified for reassignment and a further call may be made in the coming months.

Unpaid Leave

Applications for any form of unpaid leave (i.e. Parental Leave, Special Unpaid Leave of Absence) must be approved in the first instance by the Head of School/Function. Completed forms should be sent to Leave & Benefits/Human Resources on your Campus.

Parental Leave: Applications should be made using the parental leave [application form](#). In these extenuating circumstances and on an exceptional basis, the normal notice periods for such applications will need to be waived and accepted retrospectively.

Special Unpaid Leave of Absence: Applications should be made using the relevant application form.

Force Majeure Leave: applications should be made using the relevant [application form](#)

Annual Leave arrangements 2020 (HRP001)

Annual leave arrangements for Professional Management & Support Staff (PMSS) and Academic staff during the current year will be managed in accordance with the **Annual Leave HRP001** policy. Working from home arrangements are currently in place and will continue until further notice. Annual leave is a statutory entitlement, which enables staff to take paid time off, in accordance with the provisions of the Organization of Working Time Act 1997, with prior agreement of the relevant manager.

Therefore, staff should plan to take their annual leave as normal. The custom and practice for PMSS staff is that staff are expected to take the bulk of their annual leave in the months of July and August. This is still the case. Staff are expected to take all their annual leave during the leave year, however, carry over of annual leave may be allowed.

2019 Carry over leave

All carried over leave must be taken by 30 June 2020. Carry over annual leave not taken by this date will usually be forfeited. In exceptional circumstances and where this is written agreement, for example by email between the staff member and their manager, the staff member may be allowed to carry over annual leave beyond 30 June.

Manager responsibility

2020 Annual leave will be granted having regard to the individual needs of the staff member but also ensuring that the needs of TU Dublin are provided for at all times. Each manager will consider a staff members request for annual leave with regard to the operational needs of the service. Where possible, the request will be facilitated. The manager will normally confirm the decision to approve or not approve the staff members request for annual leave within 3 working days. The manager must also ensure the leave is recorded appropriately.

In the current unusual remote working arrangements and the uncertainty regarding how long these arrangements will last, managers should continue to make holiday plans for each of their areas of responsibility as normal. Due consideration should be given to ensure continuity of service throughout the remainder of the year.

Procedure for requesting leave

Normally, as set out in the Annual Leave policy, staff must apply for annual leave through the Core ESS system. However, exceptional arrangements are in place arising from Remote Working and Core ESS is not functional. A staff member who wishes to apply for annual leave must do so by completing the **Time and Attendance Adjustment Sheet**.

Record Keeping

The Organisation of Working Time Act 1997 requires employers to hold records of all forms of leave. It is important that managers update records of all leave (special leave with pay, annual leave, unpaid leave) via Core Time and that associated forms are sent to the HR department. These should be readily available for University and DES statistical data, if requested.

Medical certification, self-declaration forms (**Appendix 1**) and working time records (**Appendix 2**) must be held on record. The Core time system must be updated in accordance with them, to include basic working hours as well as any leave.

Other Related Documents which should be read in conjunction with this guide:

1. Department of Public Expenditure and Reform (DPER) document *“COVID -19 Update on working arrangements for civil and public service”*

Link <https://www.gov.ie/en/news/bfbbeb-update-on-working-arrangements-for-civil-and-public-service/>

2. TU Dublin Annual Leave policy HRP001

3. Circular Letter 0026/2020- COVID-19 (Coronavirus) - *Delay Phase Arrangements for all Public Service employees.*

Link www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0026_2020.pdf

4. Circular Letter 0028/20- COVID 19 Temporary arrangements for certain staff
5. Guidance for Remote Working (updated) 27 April 2020

Queries in relation to the content of this paper should be addressed to your HR Business Partner or local HR Manager