

## Special Leaves of Absence

<b>HR Policy Document Record</b>	
Reference Number	HRP033
Policy Owner	Human Resources
Approval Body	President's Group 27 August 2020
Creation Date	12.12.2022
Revision Date(s)	12.12.2025
Notes	Bereavement Leave updated 20.12.22 Medical Care Leave added 27.02.23

## 1. INTRODUCTION

1.1 The purpose of this document is to set out the policy and procedure for the operation of the types of special leave which are available for all staff in TU Dublin and which are not encompassed under any other University policies. The policy aims to give all staff and their manager's clarity on special leave arrangements in place.

1.2 This policy covers the following leave:

- a) Marriage & Civil Partnership Leave
- b) Bereavement Leave
- c) Leave for Medical Care Purposes
- d) Jury Service
- e) Election Leave
- f) Staff Elected to Public Office
- g) Training with the Reserve Defence Forces / Royal National Lifeboat Institution
- h) Other Special Leave

1.3 For the purpose of this policy, "manager" means the relevant line manager or nominee that a staff member reports to for leave approval.

1.4 Relevant documentation in support of an application for special leave may be required by Human Resources.

1.5 In circumstances where an application is not approved, an explanation will be provided in writing to the staff member by the decision maker i.e. the manager or Human Resources.

## 2. MARRIAGE AND CIVIL PARTNERSHIP LEAVE

2.1 Leave is available for staff to facilitate the pre and post events that accompany a marriage.

2.2 Staff will be granted seven consecutive days (maximum five working days) leave of absence with pay, which must include the day of Marriage or Civil Partnership.

2.3 A further seven consecutive days (maximum five working days) leave of absence without pay immediately following the absence with pay, will also be granted, if requested.

2.4 For academic staff, this leave can only be granted during term time.

2.5 Paid Marriage and Civil Partnership Leave will only be granted to a staff member **on one occasion only** during the course of employment with the University. In circumstances where a staff member gets remarried or enters into a second or subsequent civil partnership, they will be granted seven consecutive days (maximum five working days) leave of absence without pay.

## 3. BEREAVEMENT LEAVE

3.1 Where there is the death of a spouse (including a cohabiting partner), child (including adopted children and children being cared for on the basis of 'in loco parentis') or any person

in a relationship of domestic dependency, the amount of bereavement leave shall be twenty working days.

3.2 Where there is the death of another immediate relative leave shall be five working days.

3.3 Where there is the death of an uncle, aunt, niece or nephew the amount of bereavement leave shall be one day. In exceptional circumstances, where the civil servant lived with the deceased at the time of their death, or has to take charge of funeral arrangements, this limit may be extended to five working days.

3.4 A maximum of 1 working day may be given to a staff member to attend the funeral of a close friend or work colleague at the discretion of the manager.

3.5 In the event of a stillbirth or prenatal death of a child after twenty-four weeks pregnancy, bereavement leave of ten days may be granted to;

- i. the father of the child,
- ii. the spouse, civil partner or cohabitant, as the case may be, of the mother of the child, or conceived child within the meaning of Part 2 of that Act.
- iii. a parent of the child under Section 5 of the Children and Family Relationships Act 2015 where the child is a donor.

3.6 In a case where a civil servant has to travel abroad to make funeral arrangements in respect of an immediate relative, special leave with pay in excess of the limits for bereavement leave may be granted at the discretion of the Local HR Unit, having consulted with the relevant manager.

3.7 There is no requirement for a civil servant to avail of the full amount of special leave outlined above. In certain situations, a civil servant may wish to return to work sooner.

3.8 Bereavement leave is granted only at the time of the bereavement. Bereavement leave cannot be substituted for any form of leave, other than annual leave. If the bereavement occurs when a civil servant is on annual leave, the annual leave can be replaced with bereavement leave and the annual leave restored.

3.9 With regard to work sharers, the granting of bereavement leave and the amount granted will depend on whether or not the civil servant was scheduled to work for the period in question.

All civil servants are reminded of the fact that the Civil Service Employee Assistance Service (CSEAS) offers both practical and emotional support to staff who have experienced a bereavement. The CSEAS can be contacted via <http://www.cseas.per.gov.ie/>.

3.10 Bereavement Leave days as set out in 3.1, or 3.2 do not have to be taken consecutively.

#### 4. LEAVE FOR MEDICAL CARE PURPOSES

- 4.1 In accordance with the Work Life Balance and Miscellaneous Provisions Act, 2023, a staff member is entitled to five days of unpaid leave for medical care purposes, in any consecutive 12-month period. The purpose of the leave is to provide personal care or support to certain specified persons in need of significant care or support for a serious medical condition. Specified persons include a staff member's son, daughter, mother, father, spouse, civil partner or other person living in the same household as the staff member who is in need of significant care or support for a serious medical condition.
- 4.2 The leave cannot be taken in periods of less than 1 day. There is no minimum service requirement for the leave.
- 4.3 The University reserves the right to request relevant evidence from the staff member as part of the leave approval procedure. This must be provided by submitting a medical certificate signed by a doctor, stating that the person named in the certificate is in need of significant care or support for a serious medical condition, or such other evidence as the University may reasonably require in order to show that the person concerned was or is in need of significant care or support for a serious medical condition.
- 4.4 Due to the nature of this leave, it may not be possible to provide advance notice of intention to avail of same.
- 4.5 All employment rights, except remuneration, are protected while a staff member is on this leave.

#### 5. JURY SERVICE

- 5.1 In accordance with the Juries Act, 1976, a staff member will be granted paid leave for the duration of their absence. In the case of a temporary staff member, paid leave will be granted up to the end date of their contract. A staff member who attends for Jury Service and is required to attend for only part of a day should report for work for the remainder of the working day.
- 5.2 A staff member called for jury service must forward the written notification (**Jury Service Summons**) as soon as it is received to their manager. Confirmation of the number of days which a staff member has served on a jury from the relevant Court of Law should be forwarded by the staff member to their manager and provided by the manager to Human Resources.
- 5.3 The University encourages all staff to make every effort to carry out their civic duty and report for Jury Service, when called. With some exemptions, jury service is obligatory for every citizen from the age of 18 up to 65 who is entered on the Register of Electors.
- 5.4 Academic staff may apply to be excused from Jury Service, by completing a written request for exemption to the Clerk of the Court, duly endorsed by Leave and Benefits.
- 5.5 There are a limited number of reasons why a staff member might be exempt from Jury Service due to the business needs of the University, for a particular period only. Reasons might include pressure of work, sickness or absence from the country. If there are pressures of work or other reasons why attendance may be problematic, then this is a matter ultimately to be decided by the staff member's manager and in such cases the manager should write to the Clerk of the Court requesting an abstention.

5.6 Where a staff member is required to serve on a Jury as part of a Coroner's Inquest, 5.1 to 5.5 will apply.

5.7 Where a staff member receives a Subpoena to act as a Witness in either a Criminal or Civil Case, 5.1 to 5.3 will apply.

## **6. ELECTION LEAVE**

6.1 A staff member who is a declared candidate in a Local/General/European/Presidential Election may be granted paid leave (from the final date for the receipt of nominations) of 10 continuous working days and a maximum of an additional 18 days on an unpaid basis if requested. Election Leave is subject to the staff member's manager approving the leave on the basis that local arrangements can be put in place to cover the leave. Cost of substitution where applicable will be paid by the School/Function.

## **7. STAFF ELECTED TO PUBLIC OFFICE**

7.1 A staff member who is elected to public office may be granted unpaid leave for the duration of their appointment.

7.2 Posts vacated by staff who have been elected to public office will be backfilled on a specified purpose basis.

7.3 Backfill appointments will cease a) when the staff member returns from their unpaid leave, b) if the staff member is transferred/promoted to another position in the University or c) if the staff member ceases employment with the University.

## **8. TRAINING WITH THE RESERVE DEFENCE FORCES / ROYAL NATIONAL LIFEBOAT INSTITUTION**

8.1 Staff who are members of the Reserve Defence Force and/or Royal National Lifeboat Institution will be granted 3 working days paid leave to attend annual training which lasts for 7 days and 7 working days paid leave to attend annual training with lasts for 14 days. Additional leave may be granted on an unpaid or annual leave basis.

## **9. OTHER SPECIAL LEAVE**

9.1 In exceptional circumstances and where there are no other leave options available in the University, a staff member may be allowed paid leave in respect of occasional brief absences owing to reasonable causes, subject to the approval of the manager and Human Resources.

## **10. APPLICATION PROCEDURE**

10.1 An application for the leave arrangements detailed should be made by completing the **Special Leaves of Absence Form see appendix 1**, signed by your manager and forwarded to Human Resources along with any additional paperwork as required.

10.2 For applications for leave for medical care purposes, the 'medical leave absence form' in

appendix 2 should be completed, signed by your manager and forwarded to Human Resources along with any additional paperwork as required.

10.3 These Application Forms are located at the end of this policy. It is the responsibility of the staff member to submit a fully completed forms in time for the relevant pay adjustments to be made.

10.4 Unpaid leave is not reckonable for superannuation purposes and may have PRSI and tax implications. Staff should ensure that they understand such implications when taking unpaid leave.

## 11. QUERIES

**Contact:** Leave and Benefits Team

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

## Appendix 1

### SPECIAL LEAVES OF ABSENCE APPLICATION FORM

- Application to take a Special Leaves of Absence should be submitted in writing to Human Resources, through your manager at least 4 weeks before the date on which you intend to commence the Special Leave (or immediately after in the context of Compassionate Leave)

To be completed by the Staff Member:

Name (in print):

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

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

Contact No: \_\_\_\_\_

Please tick as appropriate:

- |   |                          |  |                          |
|---|--------------------------|--|--------------------------|
| • Staff Elected to Public Office                              | <input type="checkbox"/> | • Training with the Reserve Defence Forces/Royal National Lifeboat Institution | <input type="checkbox"/> |
| • Election Leave  | <input type="checkbox"/> | • Jury Service/Witness in a Civil/Criminal Case                                | <input type="checkbox"/> |
| • Marriage Leave  | <input type="checkbox"/> | • Jury Service/Witness in a Civil/Criminal Case                                | <input type="checkbox"/> |
| • Other Special Unpaid Leave<br><i>Please provide details</i> | <input type="checkbox"/> | • Bereavement Leave<br><i>Provide Relationship Details</i>                     | <input type="checkbox"/> |

\_\_\_\_\_

Dates of Special Leave (as per Special Leaves of Absence policy):

From: \_\_\_\_\_

To: \_\_\_\_\_

Signature: \_\_\_\_\_

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

**To be completed by relevant manager:**

I certify that I have approved the above leave in accordance with the Special Leaves of Absence policy. The following required documentation is enclosed:

Completed Special Leaves of Absence Application Form:

Official documentation regarding Jury Service, Training with the Reserve Defence Forces, Royal National Lifeboat Institution, Staff Elected to Public Office as provided by the staff member:

I do not approve the leave as requested:

***Note: In circumstances where an application is not approved, an explanation will be provided in writing to the staff member by the decision maker i.e. the manager or Human Resources:***

**Signature of Manager:**

**Date:**

**To be completed by Human Resources:**

I have verified the documentation received from the manager

I note the decision of the manager to approve the leave  or

I approve the leave as requested (if appropriate)  or

I do not approve the leave as requested

**Note: In circumstances where an application is not approved, an explanation will be provided in writing to the staff member by the decision maker i.e. the manager or Human Resources.**

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

**Date:**



**Appendix 2**

**MEDICAL CARE LEAVE ABSENCE - APPLICATION FORM**

To be completed by a staff member who takes *or intends to take leave for medical care purposes as soon as reasonably practicable before the leave is intended to be taken or after the leave is taken (in the case of emergency circumstances).*

**Name (in print):**

**Staff No:**

**Function/School:**

**Contact No:**

---

---

---

---

---

Name and address of person in need of significant care or support for a serious medical reason:

---

---

---

---

Relationship of staff member to the person specified above:

---

---

---

---

Please outline a statement of the facts relating to the events of requiring the leave:

---

---

---

---

---

---

Dates of leave for medical care purposes:

---

**Evidence**

The employer reserves the right to request relevant evidence relating to the need of the person for the significant care or support concerned. Such relevant evidence may include:

- A medical certificate stating that the person named in the certificate is (or where the leave has already been taken) was in need of significant care or support for a serious medical reason and signed by a registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007, or;
- If the staff member does not have a medical certificate such evidence as the employer concerned may reasonably require in order to show that the person concerned is or was in need of significant care or support for a serious medical reason.

**Data Protection**

The information contained in this document will be processed in accordance with our obligations under data protection law.

As this document may contain special categories of personal data, it will be stored in a separate confidential file. This is done to ensure the highest level of confidentiality and to ensure that only authorised personnel have access to it.

For further information regarding the processing by the TU Dublin of personal data, please see our data protection policy. For further information regarding the retention periods applicable to this document and other personal data held by the TU Dublin, please see our data retention policy.

**Declaration**

I declare that the information given by me above is true, accurate and complete.

<b>Signed:</b> <i>(Staff member)</i>	_____	<b>Date:</b>	_____
<b>Signed:</b> <i>(Head of HR/ HR Manager or nominee)</i>	_____	<b>Date:</b>	_____

**Note: In circumstances where an application is not approved, an explanation will be provided in writing to the staff member by the decision maker i.e. the manager or Human Resources.**