

Annual Leave

HR Policy Document Record	
Reference Number	HRP001
Policy Owner	Human Resources
Approval Body	Human Resources
Creation Date	January 2019
Revision Date(s)	September 2019
Notes	September 2019: Deletion of Annual Leave for Research Administrators A to E and inclusion of Senior Postdoctoral Researcher Annual Leave at 6

1. Introduction

The purpose of this document is to set out the policy and procedure for the operation of annual leave for Professional, Management & Support Staff and Academic Staff in the Technological University Dublin (hereafter referred to as "TU Dublin"). The policy aims to give all staff and their manager's clarity on annual leave entitlements.

Annual Leave is a statutory entitlement, which enables staff to take paid time off, in accordance with the provisions of the Organisation of Working Time Act 1997 with the prior agreement of their relevant manager.

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

The Organisation of Working Time Act 1997 Act provides for an entitlement for all employees to annual leave and public holidays.

Section A - Annual Leave for Professional, Management & Support Staff

(i) The leave year for new staff appointed after 1 January 2019 will be from 1 January to 31 December. Leave year arrangements will continue for existing staff. It is normal practice for staff to take all their annual leave during the leave year. Carry over annual leave will be allowed up to 30 June (see iii) below.

(ii) It is the responsibility of the staff member and their manager to monitor annual leave and to avoid unnecessary carry over of leave and to adhere to the Organisation of Working Time Act 1997 Act.

(iii) Normally any annual leave carried over must be taken on or before 30 June of the following year. Carry over annual leave not taken by this date will usually be forfeited. In exceptional circumstances and where there is a written agreement, for example by email between the staff member and their manager, the staff member may be allowed carry over annual leave beyond 30 June.

(iv) Staff who work pro-rata or part-time or for a proportion of the leave year will have pro-rata entitlements to annual leave.

(v) Annual leave entitlements for all professional, management & support staff are referred to in their Contracts of Employment and/or the particulars of the post/ relevant statutory provision. Annual leave entitlements can also be amended in accordance with any direction as issued by the Minister for Education and Skills.

(vi) Having regard to setting annual leave entitlements, there are effectively three groups of staff in TU Dublin:

1. Staff who have had their leave entitlement set in accordance with Circular Letter 0009/2014, with a range of 22 – 32 days;
2. Staff appointed on or after 7 January 2014 who will have an annual leave entitlement set for the grade to which they are recruited (refer to Section 7 below);
3. Newly promoted staff who will maintain their current leave entitlement if the leave entitlement for the grade to which they are promoted is lesser than the current entitlement subject to a maximum of 30 days annual leave. Those staff with a current annual leave entitlement of greater than 30 days will have their leave reduced to 30 days.

(vii) TU Dublin will close for a number of days over the Christmas period. Closure days vary from year to year. The leave entitlements outlined in Section 7 below are inclusive of closure days (other than normal public and bank holiday arrangements and Good Friday).

(viii) Annual leave is accrued in accordance with the provisions of the Organisation of Working Time Act 1997 Act and cannot be credited from future years into the current leave year; in addition, annual leave may only be taken in full or half day segments.

(ix) 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 member's request for annual leave 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 member's request for annual leave within three working days.

(x) Staff on annual leave should not attend normally for work or accrue flexitime on such days. If staff do attend for work, then the annual leave must be cancelled on TU Dublin's Core ESS, after consultation and approval by the manager.

(xi) For the purpose of clarity, annual leave does not accrue during periods of unauthorised absence.

(xii) Annual leave is not affected by other protected leave provided for by law. Time spent on maternity leave, adoptive leave, paternity leave, parental leave, force majeure leave and the first 13 weeks of carer's leave is treated as though you have been in employment and this time can be used to accumulate annual leave entitlement.

1. Public Holidays and Good Friday

In addition to annual leave, staff are entitled to nine public holidays and Good Friday. The public holidays are:

- New Year' Day
- St. Patrick's Day
- Easter Monday
- First Monday in May, June & August
- Last Monday in October
- Christmas Day
- St. Stephen's Day

2. Procedure for taking leave

Annual leave must be applied through the Core ESS System prior to the leave being taken. Staff are required to ensure that their manager has sufficient advance notification of their intention to take annual leave so that, if necessary, appropriate cover may be arranged.

The following periods of notice should normally apply before the first date of annual leave:

Period of leave requested	Period of notice normally required
One half day or one full days leave	One or more working days
Up to five days leave	Five or more working days
Between five and ten days leave	Ten or more working days
Over eleven days leave	Twenty or more working days

3. Outstanding Leave Balances on Resignation or Retirement

It is recommended that any balance of annual leave (both current and carry over) be taken by a staff member prior to their resignation or retirement. In the event that it is not possible to do so, as a consequence of sick leave, maternity leave, etc. or operational needs of the University, the staff member will be paid for any outstanding annual leave not taken.

4. Sick Leave and Annual Leave

(i) If a staff member becomes ill whilst on annual leave, they may apply for the annual leave to be cancelled and reinstated on the production of a medical certificate.

(ii) An amendment to the legislation was made by way of section 86(1) of the Workplace Relations Act 2015. It will have the following effects:

- Periods of sick leave at full and half pay will retain full annual leave entitlements. Statutory annual leave entitlement accrues where an individual is on Temporary Rehabilitation Remuneration (TRR) and/or zero rate of pay due to certified sick leave.
- An annual leave carryover period of 15 months after a leave year will apply to those staff who could not, due to illness, take annual leave during the relevant leave year or during the normal carryover period of 6 months.
- Annual leave accrued while on sick leave will remain available to the staff member for 15 months following the leave year in which it was accrued. Following this 15 month period, the annual leave will be forfeited on the staff member's record. Therefore, on return to work, the staff member must take the oldest remaining annual leave first.
- On termination of employment, payment in lieu of untaken accrued annual leave will apply to leave which was untaken as a result of illness, in circumstances where the staff member leaves the employment within a period of 15 months following the end of the leave year during which the statutory leave entitlement accrued.

5. Appeals

In the event that a staff member wishes to appeal a decision in relation to an aspect of annual leave as it relates to carryover or leave balance, this should be submitted in the first instance to their line manager and should specify in writing the grounds for the appeal. In any such case, a union official may make representations on behalf of a member. Thereafter, the matter may be considered by Human Resources if necessary.

6. Leave Entitlements for staff recruited and/or promoted on a permanent basis on or after 7 January 2014

Administrative, Library, Management and other Support Staff	
III	22 days
IV	23 days
V	25 days
VI	27 days

VII	29 days
Faculty Librarian	29 Days
Librarian	30 days
Sub Librarian	30 days
APO/PO	30 days
Director	30 days
Student Counsellor	29 days
Careers Advisor	27 days
College Nurse / Practice Nurse	29 days
Occupational Health Officer	27 days
Lab Assistant	25.5 days
Technical Staff	
Technician	23 days
Technical Officer	28 days
Senior Technical Officer	29 days
Estates Staff	
Building Services Supervisor	22 days
Porter	22 days
General Operative	22 days
Head Caretaker	25 days
Caretaker	22 days
Craftperson	25 days
Research Staff	
Research Assistant	22 days

Senior Research Assistant	23 days
Postdoctoral Researcher	25 days
Senior Postdoctoral Researcher	25 days
Research Fellow	29 days
Senior Research Fellow	30 days

Section B – Annual Leave for Academic Staff

1. Annual Leave for Academic Staff

(i) Academic staff including Academic Management (Senior Lecturer II and Senior Lecturer III) will be granted a minimum of six weeks summer leave, and, in addition, such short periods during which TU Dublin may be closed at Christmas and at Easter, subject to completion of duties normally required.

(ii) There is an understanding that annual leave will be taken by Academic Management during the months of July and August having regard to the business needs of TU Dublin during this period.

(iii) Where Academic Management are unable to take all their leave entitlement during the months of July and August due to the business/academic activities and requirements of TU Dublin, the current arrangements will continue, provided that requests for leave outside of the normal leave periods are approved (in advance of taking such leave) by the relevant manager.

(iv) Where academic staff are required to meet obligations to students in relation to such matters as completion of course boards, disciplinary hearings, rechecks, appeals, repeat examinations and advice and guidance with examination difficulties, such staff should be available for five working days between 20 June and 28 June – both days inclusive. The actual days of attendance will be identified in advance by the relevant manager in consultation with the staff member. Academic staff required to attend during this period will be allowed days off with effect from 1 September equal to the number of working days from the 21 June to the last day required attendance, both days inclusive.

2. Resignation / Retirement

Where an academic staff member resigns or retires at some time during the academic year, there is no entitlement to payment for annual leave that would normally occur after the date of their resignation/retirement.

QUERIES

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