

7.3 Work-sharing Policy

The purpose of the work-sharing scheme is to assist staff to combine work and personal responsibilities or choices.

Work-sharing means that staff may choose a daily/weekly work pattern which is different from the standard working day/week. All staff, whether established or unestablished including, subject to certain conditions, those on probation may apply to work-share. Staff who opt for work-sharing are required to do so for a minimum of twelve months. Each individual's work-sharing arrangements must be formally reviewed on an annual basis.

The staff member is required to re-apply in advance of the period coming to an end and the arrangement may be approved again for a further twelve months. The onus is on the staff member to re-apply each year and any rollover of a work-sharing arrangement where an extension has not been looked for by the staff member does not assume automatic approval.

A person participating in the Work-sharing Scheme may take up other paid employment outside the Civil Service, subject to the same conditions that apply to full-time civil servants, but in particular that there must be no conflict of interest, and that the outside employment does not interfere with the proper performance of Civil Service duties.

The operation of the scheme is subject to the principle that the operating requirements of Teagasc are not adversely affected. This will be determined by the staff member's line manager. Organisational needs may make it necessary to limit the numbers who participate in the work-sharing scheme. It is important that both management and participants of the scheme adopt a flexible approach to the operation of the scheme.

It is not a specific requirement under the scheme to have a work-sharing partner. However, it is acknowledged that operational needs of Teagasc may make the availability of a suitable partner a prerequisite to granting a work-sharing request.

When two people are work-sharing the same job it is necessary that they **equally share** the workload. Teagasc will have an agreement drawn up and both staff members will be required to sign it.

In considering an application to participate in the work-sharing scheme, Teagasc will also consider the scope for internal transfer of an applicant to duties which may permit a more flexible attendance pattern where the duties and responsibilities of the staff member at the time of application may not be amenable to a work-sharing agreement.

A staff member participating in the work-sharing scheme may choose only one attendance option in a 12 month period.

Effective from December 2013, new work-sharing patterns of less than 50% of full time working hours will not be approved. There are two cases where an exemption may apply. These are:

- (1) staff who are in receipt of Carer's Allowance may work for up to 15 hours per week
- (2) staff with a disability who have been provided with a reasonable accommodation to work less than 50% of full time working hours can continue to work such pattern for as long as the reasonable accommodation is required.

Staff, who on 30 June 2013 are on patterns of less than 50%, can retain the work pattern on a personal to holder basis, subject to management's overall discretion to alter or change an individual's work-sharing arrangements with three months' notice.

Purpose

A staff member applying for work-sharing must state in writing the purpose for which participation in the scheme is being sought. Participation in the work-sharing scheme may be allowed for reasons relating to:

- The personal responsibilities or choices of an applicant, including, for example, child rearing or caring for a dependant adult
- Educational purposes
- Self-employment
- Assisting in the transition to retirement

If seeking to participate in the scheme for self-employment reasons, there must be no actual or potential conflict of interest between the staff member's self-employment and their current position. The applicant must not undertake consultancy work while work-sharing.

Management may require a staff member participating in the work-sharing scheme to resume full-time duties where, in the opinion of the line manager in conjunction with the HR Department:

- A staff member is availing of the scheme for a purpose not allowed, or
- Self-employment or alternative paid employment actually or potentially interferes with the work performance of the staff member in their position.

A failure to return to work full-time where required by the HR Department for the reasons outlined above will be treated as a serious disciplinary offence.

Conditions of Service whilst participating in the Work-sharing Scheme

The conditions of service which will apply to participants in the work-sharing scheme are set out below. Except where otherwise stated or provided for in law, staff who opt to work-share will, broadly speaking, have pro-rata parity with their full-time colleagues.

Pay

Pay will be calculated on a pro-rata basis according to the hours worked. Increments will be granted annually or in line with any nationally approved pay agreement (e.g. the Haddington Road Agreement), subject to the normal rules governing the granting of increments.

Annual Leave

The annual leave allowance of a staff member who is work-sharing will be adjusted pro-rata to their agreed attendance regime, subject to the provisions of the Organisation of Working Time Act, 1997.

The Organisation of Working Time Act states that depending on time worked, the holiday entitlement of a staff member should be calculated by one of the following methods, whichever is more favourable:

- 4 working weeks in a leave year in which a staff member works at least 1,365 hours
- One third of a working week per calendar month that the staff member works at least 117 hours
- 8% of the hours a staff member works in a leave year (subject to a maximum of 4 weeks)
- Pro-rata the holiday entitlement of an equivalent full-time staff member in that grade.

Public Holidays

Please see Section 8.4 for further details.

Other leave provisions

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A staff member participating in the work-sharing scheme will retain statutory entitlements in respect of maternity leave, including health and safety leave (provided for under the Maternity Protection Act), and adoptive leave.

A staff member participating in the work-sharing scheme will retain the statutory entitlement to parental leave, the entitlement to be calculated on the basis of the number of hours worked during a reference period of 14 weeks in accordance with the Parental Leave Act, 1998.

A staff member may avail of force majeure leave within the scope of general provisions relating to such leave.

Provisions in relation to study leave shall apply on a pro-rata basis. The granting of study leave will depend on whether or not the person in the work-sharing scheme was scheduled to work for the period in question.

The granting of bereavement leave will depend on whether or not the person in the work-sharing scheme was scheduled to work for the period in question.

Sick Leave

Sick leave entitlements for work-sharers will be the same as those applied to full time staff members with the exception that sick pay will be on a pro-rata basis in accordance with the work-sharing arrangement. However, in relation to uncertified sick leave, work-shares are entitled to a maximum of 4 uncertified sick days in any 24 month period.

The thresholds in respect of clearance of candidates for promotion and the determination of pay allowable for periods of sick leave will remain the same as for full-time staff.

Probation and acting appointments on promotion

As far as probationary service and acting appointments on promotion are concerned, credit should be given for work-sharing service on the same basis as full-time service.

Promotion

Work-sharing staff will be eligible for promotion on the same basis as full-time staff. Staff who are work-sharers will not be distinguished from full-time staff in respect of consideration for promotion, provided they are otherwise eligible. While it may be possible for staff members to continue to serve in a work-sharing capacity on promotion, an offer of promotion may be conditional on the staff member concerned undertaking to perform the duties of the higher grade on a full-time basis.

Overtime

Staff who are work-sharing should be treated in the same way as full-time staff for the purposes of allocation of overtime. There is no distinction in the definition of overtime for full-time and work-sharing staff, namely extra attendance outside the standard working day of full-time staff in the grades concerned and subject to the agreed arrangements applicable to full-time staff. Accordingly, overtime is only paid for attendance outside the span of the conditioned working day of full-time staff in the grades concerned; that is overtime should not be paid until staff have worked a net 37 or 39 hours a week.

Extra attendance

Work-sharing staff who are required to attend work during normal office hours on days, or times, which are outside their scheduled work-sharing attendance pattern, (whether for purposes of attending training courses, attending meetings or for other official purposes) should be given additional pensionable payment at their normal rate of pay or time off in lieu. Time taken off in lieu of payment for extra attendance is pensionable. Any extra attendance must be approved by the HR Department before it can take place.

Teagasc reserves the right, in exceptional circumstances, to require individual work-sharing staff members to resume duty on a full-time basis, for a temporary period.

Social welfare arrangements

As the attendance pattern agreed may affect a staff member's social welfare contribution record (i.e. not all attendance patterns may reckon as 52 contributions in any or every year), staff members are strongly advised to check with the Department of Employment Affairs and Social Protection prior to commencing work-sharing and to check the up-to-date position each time they renew a work-sharing agreement. It is important that staff members are aware that a work-sharing attendance pattern may affect their social welfare entitlements.

Altering the Work-sharing arrangement

Work-sharing arrangements must be compatible with the business needs of the organisation. Over time, a pattern that was previously approved may no longer be suitable to the business or other staff may be seeking access to the Scheme. Management has always had the right to alter or change an individual's work-sharing arrangements and that is reflected in 12/2013 Work-sharing Circular and the Haddington Road and Croke Park Agreements. However, management must have reasonable business grounds and give reasonable notice (usually 3 months) before an individual can be required to change their work-sharing arrangements.

Return to full-time employment

Staff who have worked a particular pattern for at least twelve months may apply to return to their substantive full-time working hours and duties, subject to the availability of a suitable fillable vacancy in Teagasc in the context of the Moratorium, the Employment Control Framework and Delegated Sanction constraints etc.

How to Apply

- Please note that work-sharing arrangements are subject to the exigencies of Teagasc and the staff member should discuss their intention to apply with their line manager before making an application.
- Applications for work-sharing should be made as soon as is reasonably practicable but must be no later than six weeks prior to the proposed commencement date of the work-sharing arrangement.
- An application form is [available here](#)
- The form should be completed and signed by the staff member's line manager before being submitted to schemes@teagasc.ie
- All staff in the area of work affected will be consulted in relation to the arrangements of the work-sharing situation (e.g. working hours, distribution of workload etc.)
- The staff member will be notified of the new working arrangements in writing

Version	Revision Date	Summary of Changes	Policy Owner
2.0	October 2020	Update to application process	HR - Services

