

## 7.5 Shorter Working Year Policy

### Background

Staff are currently entitled to avail of the [Shorter Working Year Scheme](#) in line with the Government Circular 14/2009. This scheme permits staff to balance their working arrangements with outside commitments, including the school holidays of their children. This scheme now supersedes the Term Time Circular 32/2006 and therefore staff that availed of Term Time in the past may now apply to avail of it through this updated scheme. [It cannot be granted for the purpose of taking up employment outside of Teagasc (in Ireland), however an individual may be self-employed]. This scheme is currently operational for the calendar year January – December. Teagasc may at its discretion withdraw entitlement to this scheme.

### Type of Unpaid Leave

Special Unpaid leave is a period of unpaid leave that must be taken during the calendar year January to December as either a continuous period of unpaid leave **or** a reduced working week.

#### **1. Continuous Period of Unpaid Leave**

Under the terms of the scheme, special unpaid leave is available as a period of 2, 4, 6, 8, 10 or 13 consecutive weeks. The leave may be taken as one continuous period or as a maximum of 3 separate periods each consisting of not less than 2 weeks and not exceeding 13 weeks in total.

#### **2. Reduced Working Week**

Staff wishing to avail of a reduced working week can apply for the period 1 January to 31 December or for a shorter period within the year. Applications for 2.5, 3 or 4 day working weeks will be considered. The maximum term for consideration under the shorter working year scheme will be 13 weeks however requests for periods greater than this will be considered on a case by case basis.

### Principles of the “Shorter working Year” Scheme

1. The operation of the scheme is subject to the operational requirements of Teagasc not being adversely affected to an unacceptable level. Where there are a number of applicants from a particular work area it may be necessary to limit the number of participants in the scheme from that area.
2. All applications will be considered. Initial approval will rest with the Line Manager. Where a Line Managers does not approve an application, it will be considered by the Head of Directorate in consultation with HR.
3. It is a voluntary discretionary scheme. Staff have a right to seek to avail of special unpaid leave. Equally, Teagasc is under no obligation to approve an application.
4. Staff will revert to the post they previously held on return from special unpaid leave.
5. Staff will not be replaced during any period of unpaid leave or reduced working week. Work may however be re-distributed if necessary and appropriate.

6. The period of leave is unpaid, it may have implications for PRSI and will have implications for superannuation (see further details below).
7. Staff wishing to avail of a continuous period of unpaid leave may apply to have their salary averaged over the calendar year (see further details below).

### Who may apply for the scheme?

The scheme is open to all staff members with 12 months continuous service. Staff members on fixed term/temporary contracts must have enough service remaining on their contracts to cover any period of unpaid leave where salary deductions are being averaged.

Teagasc will endeavour to facilitate a staff member availing of the shorter working year scheme where possible. The following criteria will be taken into consideration when reviewing an application for the scheme:

- Operational issues and Business Plan Priorities
- Length of service
- Flexibility of time of break (where it suits work areas and patterns)
- Whether a staff member is already availing of flexible working arrangements
- Whether special unpaid leave has already been availed of
- Date of request

### How to apply for the scheme

Staff should complete the shorter working year scheme application form which may be accessed on the T-Net. Applications must first be submitted to the Line Manager for approval on approval applications should then be forwarded to HR. Where a Line Manager refuses to grant leave, the application should then be forwarded to the Head of Directorate and HR for consideration.

### Timeline for Applications

Staff wishing to take unpaid leave, and have their salary averaged over the calendar year, must submit approved applications to HR **by the advised date in November of the previous year (the relevant date will be circulated to all staff in autumn of each year) in order for the applications to be processed before the January salary payment run.** Managers are asked to consider applications immediately and staff should follow up with their managers to ensure that their application is approved on time. Staff wishing to take unpaid leave **but who are not seeking to average their salary**, may submit approved applications during the year in which they seek to take the leave. However, earlier applications within a business unit may be given priority.

### Salary Considerations

The shorter working year scheme allows for a period of unpaid leave and will impact on the individual's salary and allowances. Staff are advised to complete their own estimate of the impact on take home pay.

An individual who applies to avail of a continuous block of unpaid leave may opt to spread their salary over the year provided that they apply for the shorter working year scheme by the **date advised, this will be circulated by HR each autumn.** Otherwise the leave would be taken as a block of unpaid leave with no salary paid for the period. There may be some variations between salary payments in the different periods of the year but every effort will be made to ensure equal payments of basic salary.

Availing of special unpaid leave could result in an underpayment of PRSI contributions. Individuals availing of this scheme should contact the Department of Employment Affairs and Social Protection to clarify their individual position.

### **Salary Deductions**

If a staff member is availing of special unpaid leave and chooses not to average their salary, they are responsible for making their own arrangements in relation to the payment of voluntary deductions e.g. VHI, Union, Income continuance, etc. Where a staff member chooses to average their salary they should make their own arrangements where the reduced salary is not sufficient to cover the voluntary deductions.

### **Increments & Pension**

Periods of special unpaid leave up to 13 weeks will reckon for the purposes of increments and seniority. Periods of special unpaid leave greater than 13 weeks will impact the staff members' increment date. For pension purposes, special unpaid leave does not reckon for service.

### **Opt out**

Both staff and management will have the right to postpone the period of special unpaid leave due to extenuating circumstances not later than 2 weeks before the intended date of commencement of the leave. This opt out period will be earlier if staff have applied to average their salary over the year. In this case the staff member will be notified of the latest date for opting out by the HR Department.

### **Promotion**

A staff member is entitled to apply for promotional opportunity while availing of this scheme. This may result in the staff member having to return to work if they are successful.

### **Annual Leave & Public Holidays**

Staff members availing of the shorter working year scheme will have their annual leave & public holidays calculated in accordance with the terms of the Organisation of Working Time Act, 1997. Entitlement may be reduced to take account of the period of special unpaid leave.

### **Sick Leave**

Where a staff member avails of the shorter working year scheme and falls ill during their period of unpaid leave, he/she will be eligible for sick leave at the reduced multiplier rate during the period of special unpaid leave. Special unpaid leave patterns will not be amended to facilitate periods of sick leave.

### **Other Leave**

Staff who commence maternity/adoptive leave during special unpaid leave will retain their normal statutory entitlements.

### **Restrictions on Career Breaks**

A person intending to opt for a career break and currently availing of the shorter working year scheme with a salary spread option should provide HR with three months' notice in order to allow for any adjustments or recoupment to be made with regards to salary.

### **Cancelling Shorter Working Year Arrangements**

Staff who have been approved and commenced the shorter working year scheme may cancel the arrangement with approval of their Line Manager. They need to inform HR a least one

month in advance so that any amendments that need to be made with Payroll can be done in time before the relevant payroll deadlines.

### Shorter Working Year Procedure

- Unpaid leave is subject to the exigencies of Teagasc and should be discussed with your line manager before making an application.
- An application form is [available here](#)
- Applications should be submitted to [schemes@teagasc.ie](mailto:schemes@teagasc.ie) a minimum of 4 weeks before commencement of the scheme
- Applications where salary averaging has been requested must be submitted to the HR Department **by the relevant notified date each year.**
- You will be notified of acceptance to the scheme by HR, and you must confirm in writing your acceptance of the terms and conditions of the scheme before commencing.
- If you wish to avail of the special unpaid leave in subsequent years, you must re-apply each year. You will not necessarily be granted special unpaid leave each year.
- The operation of the scheme will be monitored by HR.

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