

## **Financial Guideline 2019/2020 - 29**

### **Community & Comprehensive Schools and Voluntary Secondary Schools**

## **Cessation of “Rolled-up Holiday Pay” - Non-Teaching Staff**

### **1. Introduction**

Rolled-up holiday pay is the practice where the hourly rate of pay includes an element in respect of annual leave. This practice is unlawful under the European Union Working Time Directive. It is important to note that the overall remuneration to such staff is not being changed. The pay of a staff member under the new arrangements will be equal to the pay for a corresponding period under the pre-existing arrangement.

### **2. Changes for hourly-paid staff including:**

- **Privately paid School Secretaries & Caretakers**
- **Cleaners**
- **Other privately paid staff**

Where hourly-paid staff currently receive a rate of pay that includes “rolled-up holiday pay”, 8% should be removed from the current hourly rate. This represents the staff member’s statutory annual leave entitlement. The staff member will accumulate statutory annual leave to the value of 8% of time worked.

Please note this excludes casual teachers, non-casual teachers, part-time teachers and teachers employed to perform supervision and substitution duties paid directly by the school. They are comprehended under [Financial Guideline 2015/2016-01](#).

### 3. Accumulated Statutory Annual Leave:

Staff should take and be paid for their accumulated statutory annual leave entitlement during the closure periods at Christmas, Easter and summer as follows:

- a) During the Christmas school closure period, staff will take the statutory annual leave which they have accumulated since the commencement of the school year and will be paid for such leave;
- b) During the Easter school closure period, staff will take the statutory annual leave which they have accumulated since the Christmas school closure period and will be paid for such leave;
- c) During the summer school closure period, staff will take the statutory annual leave which they have accumulated since the Easter school closure period and will be paid for such leave.

While the holiday pay payments are based on the number of hours accrued, for staff that are paid a daily rate the school will have to decide on the number of days to which the payment equates.

#### **Example**

Mary is a cleaner in the school and started on 1<sup>st</sup> September 2011. She is employed by the school for 20 hours per week on a full-time basis. Mary is paid €13.50 per hour which includes her holiday pay.

**Pre-existing Pay Arrangements:** Mary is employed for a total of 920 hours in 2015/16 school year. Under the previous pay arrangements, Mary would be paid €13.50 per hour. Her total pay in respect of her employment with the school in 2015/16 would therefore be €12,420. She would have received no pay for her holidays.

**New Pay Arrangements:** Under the new arrangements, 8% is removed from the hourly rate. (€13.50 divided by 108 and multiplied by 100) giving a new hourly rate of €12.50 per hour. Mary accumulates statutory annual leave to the value of 8% of hours worked. Mary works 920 hours and to get her holiday hours multiply 920 by 8% giving her 73.6 hours for holiday pay. This should be paid to Mary at the school holiday time.

Her annual pay will be 920 hours by €12.50 (€11,500) plus 73.6 hours holiday pay at €12.50 per hour (€920), giving a total for the year of €12,420. Mary's overall pay remains the same.

*Further information or clarification on any of the issues raised in this Guideline can be obtained from the FSSU.*

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5th February 2020

## Treoirlíne Airgeadais 2019/2020 - 29

### Meánscoileanna Deonacha, Pobalscoileanna agus Scoileanna Cuimsitheacha

## Scor “Pá Saoire Chuachta”- Foireann Neamhtheagaisc

### 1. Réamhrá

Bíonn pá saoire cuachta ann i gcás go gcuimsítear sa ráta pá in aghaidh na huaire gné pá i ndáil le saoire bhliantúil. Tá an cleachtas sin neamhdhleathach faoi Threoir Ama Oibre an Aontais Eorpaigh. Is tábhachtach a thabhairt faoi deara nach mbeidh aon athrú ar an luach saothair iomlán do na baill foirne ábhartha. De réir na socrúithe nua, beidh pá an bhaill foirne mar an gcéanna leis an bpá do thréimhse chomhfhreagrach faoin socrú seanbhunaithe.

### 2. Athruithe i gcás baill foirne a íoctar in aghaidh na huaire, lena n-áirítear:

- **Rúnaithe & Feighlithe Scoile a íoctar go príobháideach**
- **Glantóirí**
- **Baill foirne eile a íoctar go príobháideach**

Aon bhaill foirne a fhaigheann ráta pá faoi láthair ina bhfuil “pá saoire cuachta” cuimsithe, ba chóir go mbainfí 8% den ráta reatha in aghaidh na huaire. Is ionann sin agus teidlíocht saoire bliantúla an bhaill foirne sin. Déanfaidh an ball foirne sin saoire bhliantúil reachtúil a charnadh, ar luach 8% den am atá oibrithe.

Tabhair faoi deara nach n-áiríonn sin múinteoirí ócáideacha, múinteoirí neamhócáideacha, múinteoirí páirtaimseartha agus múinteoirí atá fostaithe le dualgais maoirseachta agus ionadaithe a chur i bhfeidhm, agus iad íoctha ag an scoil go díreach. Cuimsítear iad sin faoi [Threoir Airgeadais 2015/2016-01](#).

### 3. Saoire Bhliantúil Reachtúil Charnach:

Ba chóir go mbainfeadh baill foirne leas as agus go n-íocfaí iad as a dteidlíocht maidir le saoire bhliantúil reachtúil charnach i rith na dtréimhsí dúnta scoile ag an Nollaig, an Cháisc agus sa samhradh, mar seo a leanas:

- a) Nuair atá an scoil dúnta don Nollaig, tógfaidh baill foirne an tsaoire bhliantúil reachtúil atá carntha acu ó thosach na scoilbhliana agus íocfar as an tsaoire sin iad;
- b) Nuair atá an scoil dúnta don Cháisc, tógfaidh baill foirne an tsaoire bhliantúil reachtúil atá carntha acu ó dúnadh an scoil don Nollaig agus íocfar as an tsaoire sin iad;
- c) Nuair atá an scoil dúnta don samhradh, tógfaidh baill foirne an tsaoire bhliantúil reachtúil atá carntha acu ó dúnadh an scoil don Cháisc agus íocfar as an tsaoire sin iad.

Cé go bhfuil na híocaíochtaí maidir le pá saoire bunaithe ar líon na n-uaireanta atá carntha, i gcás baill foirne a n-íoctar ráta laethúil leo, beidh ar an scoil a chinneadh cén líon laethanta is ionann agus an íocaíocht.

#### Sampla

Is í Mary glantóir na scoile agus thosaigh sí sa phost ar an 1 Meán Fómhair 2011. Tá sí fostaithe ag an scoil ar bhonn lánaimseartha i gcomhair 20 uair in aghaidh na seachtaine. Íoctar €13.50 in aghaidh na huair le Mary agus áiríonn sin a pá saoire.

**Socrúithe Pá Seanbhunaithe:** Sa scoilbhliain 2015/16, bhí Mary fostaithe i gcomhair 920 uair san iomlán. Faoi na socruithe pá seanbhunaithe, d'íocfaí a €13.50 in aghaidh na huair le Mary. Mar sin, bheadh a pá iomlán i ndáil lena fostaíocht sa scoil sa scoilbhliain 2015/16 cothrom le €12,420. Ní bheadh aon phá faighte aici dá saoire.

**Socrúithe Pá Nua:** Faoi na socruithe nua, baintear 8% den ráta in aghaidh na huair (€13.5 roinnte ar 108 agus iolraithe faoi 100), agus tugann sin ráta nua in aghaidh na huair de €12.50. Carnann Mary saoire bhliantúil reachtúil ar luach 8% de na huaireanta a d'obair sí. Oibríonn Mary 920 uair; chun a huaireanta saoire a fháil, iolraigh 920 faoi 8% agus tugann sin 73.60 uair di le haghaidh saoire pá. Ba chóir go n-íocfaí sin le Mary ag am na saoire scoile.

Beidh pá bliantúil aici de 920 uair roinnte ar €12.50 (€11,500) móide 73.6 uair de phá saoire ag €12.5 uair (€920), rud a thugann iomlán de €12,420 don bhliain. Fanann pá iomlán Mary mar an gcéanna.

*Is féidir tuilleadh eolais nó soiléiriú a fháil ar aon cheann de na saincheistean sa Treoirlíne seo ach dul i dteagmháil le FSSU.*

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An 5 Feabhra 2020