

To: The Management Authorities of Schools

The Department of Education and Skills wishes to advise of changes to Sick Leave arrangements for approved School Transport Escorts employed by Boards of Management. The changes relate specifically to uncertified (self-certified) sick leave.

Sick Leave

Full pay (less appropriate deduction in respect of P.R.S.I. benefits) may be allowed during sick absences up to the following limits in any period of twelve months service:-

- After 3 months continuous service – up to 6 weeks
- After 6 months continuous service – up to 9 weeks
- After 12 months continuous service – up to 13 weeks

No sick pay will be allowed during the first three months service but previous service, so far as it has been continuous, may be allowed to reckon towards the qualifying period for the grant of paid sick leave. Qualifying service is exclusive of any period of leave without pay.

The grant of sick leave will be subject to the conditions that the absence is properly certified and there is no evidence of permanent disability for service.

Medical certificates must in all cases of continuous absence be furnished on the third day at the latest. As a general rule, sick leave will not be allowed for a longer period than one week on any one certificate. Where sick leave extends from Friday to Monday inclusive, a medical certificate must be furnished. Each medical certificate submitted in support of an application for sick leave must be given by a qualified and registered medical practitioner and must state, in addition to the nature of the absentee's illness, the probable date of resumption of duty.

When sick pay has once ceased owing to the operation of the maximum limit it cannot be resumed during the same absence. Unpaid sick leave does not count as service qualifying for further paid sick leave. The continued grant of sick leave is dependent on the existence of a reasonable prospect of recovery.

Self-certified (Uncertified) Sick Leave:

There will be an initial maximum of 7 days self-certified paid sick leave permitted in the period from 1st January 2012 until 31st December 2013.

With effect from 1st January 2014 a maximum of 7 days self-certified paid sick leave may be granted over a rolling two year period.

From this date if the number of days' absence without a medical certificate in any work period of two years, reckoning backwards from the date of the latest absence, exceeds 7 in aggregate, any excess days' absence will be without pay.

Self-certified sick leave can only be granted for single or two-day absences.

This notice is available on the Department's website at www.education.ie.

All previous notices, setting out the terms of self-certified (uncertified) sick leave for school transport escorts are superseded by these new arrangements.

Examples of the implementation of the new arrangements are set out in the attached appendix.

School Transport Section
January 2013

Appendix

Examples of the Implementation of New Arrangements

1. On 10th January 2013 an Escort applies for a day's self-certified sick leave. The school examines the sick leave record counting back to 1st January 2012. The Escort had 2 days' self-certified sick leave in the period 1st January 2012 to 10th January 2013 and, therefore, may be given access to paid self-certified sick leave.
2. On 30th May 2013 an Escort applies for a day's self-certified sick leave. The school examines the sick leave record counting back to 1st January 2012. In that period the Escort had 6 days' self-certified sick leave. Access may be granted to one day's self-certified sick leave.
3. On 3rd December 2012 an Escort applies for 2 days' self-certified sick leave. The school examines the sick leave record counting back to 1st January 2012. The Escort had 6 days' self-certified sick leave in the period 1st January 2012 to 3rd December 2012. Therefore, the Escort may only be permitted access to one day's self-certified sick leave. The other day is an unpaid absence.
4. On 24th April 2013 an Escort applies for 2 days' self-certified sick leave. The school examines the sick leave record counting back to 1st January 2012. In that period of 16 months the Escort had 8 days' self-certified sick leave, 7 paid and 1 unpaid absence. There can be no further access to paid self-certified sick leave as the maximum of 7 days permitted has already been taken.
5. On 8th January 2014, i.e. when a full 24 month period has passed since 1st January 2012, an Escort applies for 2 days' self-certified sick leave. The school examines the sick leave record counting back for a 24 month period from the latest date of absence, in this case 8th January 2014. The count will be to 9th January 2012.