



TUS

Ollscoil Teicneolaíochta na Sionainne:
Lár Tíre, An tIarlthar Láir
Technological University of the Shannon:
Midlands Midwest

Force Majeure Policy

2026-2029

HUMAN RESOURCES

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1. Introduction

TUS Force Majeure Leave Policy is intended to provide staff of the Technological University of the Shannon (TUS) with details on the entitlements in relation to Force Majeure.

Force Majeure Leave is defined under the Parental Leave Act 1998 and the Parental Leave (Amendment) Act of 2006 as a staff member's entitlement to paid time off for urgent family reasons owing to illness or injury.

2. Purpose

This policy is intended to provide staff of the University with details on the eligibility criteria and entitlements to force majeure leave whereby a staff member can take limited paid leave, when their immediate presence is required due to the injury or illness of close relatives.

3. Definitions

A close relative is defined as one of the following to the staff member:

- child or adopted child
- spouse or partner / civil partner
- a person to whom the staff member is in loco parentis
- a sibling
- father, step-father, father-in-law, mother, step-mother and mother-in-law
- grandfather, grandmother
- persons in a relationship of domestic dependency, including same-sex partners.

4. Scope

This policy is applicable to all TUS staff members.

During an absence on force majeure leave a staff member is deemed for all purposes to be in employment.

5. Entitlements

- 5.1. Entitlement to force majeure leave is limited to circumstances where the immediate presence of the staff member is indispensable, at the place where the ill or injured person is situated.
- 5.2. In determining whether a staff member is entitled to force majeure leave, the following considerations apply:

- the reason is urgent when the staff member has to act without delay, there is no advance notice of the illness/injury and there is little time to plan or manage it or to make alternative arrangements. In this sense, a scheduled hospital appointment or a routine childhood illness would not attract force majeure leave. An event might be urgent on the first day, but not on subsequent days if the initial urgency has passed;
- the need for the staff member's presence is immediate when the staff member's presence with the sick person could not have been delayed because of the seriousness/urgency of the illness/injury. The staff member had to be with or go to the sick/injured person without any delay;
- the staff member's presence is indispensable when the situation demands the presence of the staff member. Nobody else will do or will be able to give the support that the sick/injured person requires.

5.3. Force majeure leave can be taken to a maximum of 3 working days leave, in any 12 consecutive month period, or 5 working days, in any 36 consecutive months period. Absence for part of a day, is counted as 1 day's force majeure leave.

6. Application Procedure

- 6.1. Due to the very nature of force majeure leave, prior notice of such leave cannot be given. On immediate return to work, staff wishing to avail of this leave must submit their application for approval via the Employee Request facility on the Employee Self Service System (ESS)
- 6.2. The University may seek evidence, from the staff member, to justify or support an application for force majeure leave.

7. Compliance/Monitoring Review

This Policy will be updated as required to reflect changes in applicable laws or in relevant circular letters.

The policy will be reviewed every 4 years to reflect national policy and guidelines, and national / international benchmarks of best practice.

8. Queries

For enquiries on this policy please contact the relevant HR Office:

TUS Midlands: hr.midlands@tus.ie TUS Midwest: hr.midwest@tus.ie