



TUS

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

Shorter Working Year Policy

2026-2029

HUMAN RESOURCES

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1. Introduction

Technological University of the Shannon (TUS) is committed to providing an inclusive and diverse environment in which all members of our community are valued and supported, both in the workplace and in their personal life.

The purpose of the shorter working year scheme is to permit staff to balance their working arrangements with outside commitments, including the school holiday periods of their children.

Under the terms of the scheme, special leave is available from 1 to 13 weeks. The leave may be taken as one continuous period, or as a maximum of 3 separate periods each consisting of not less than 1 weeks and not exceeding 13 weeks in total. Other arrangements may be agreed in exceptional circumstances with the approval of the relevant line manager and HR. The period of leave shall be unpaid special leave.

2. Purpose

This policy sets out the shorter working year scheme and associated procedure for availing of same.

3. Scope & Eligibility

To be eligible to apply for unpaid special leave, a staff member must be serving in a Department / Functional Unit, in an established or unestablished position (full-time staff, work-sharers and other part-time staff are eligible to apply). Staff on probation at the time it is proposed to take the special leave are not entitled to participate. A staff member on special leave retains their status and is subject to all relevant legislation and codes, including the code of conduct of the University.

4. Roles and Responsibilities

4.1. Line Managers/Supervisors

- Authorise leave requests in a timely manner.
- Ensure a discussion takes place with staff member in preparation for the leave.
- Ensure fair and consistent application of leave policies
- Promote an environment of equality, diversity and inclusion which support work life initiatives.

4.2. Staff

- Read and understand this policy and make themselves aware of their obligations.
- Apply for leave within defined timelines.
- Provide reasonable notice to the line manager/supervisor to take leave for a plan to be put in place to avoid/minimise any disruption to service.

5. **Annual Leave and Public Holidays**

Subject to the provisions of the Organisation of Working Time Act 1997 (“the Act”), the annual leave allocation of a participant may be reduced to take account of the period of special unpaid leave.

The Act provides that a staff member who works at least 1,365 hours in a leave year is entitled to an annual leave allowance of 4 working weeks (20 days). In calculating how many days’ holidays a staff member may be entitled under the Act, the University will include all hours worked including overtime, time spent on maternity (including unpaid maternity and adoptive leave), adoptive or parental leave, as well as holidays and public holidays taken during the calculation period.

Annual Leave - Full-Time Staff: Staff serving in a full-time capacity who avail of special leave will, in the absence of any other additional unpaid leave, be entitled to a minimum of 20 days annual leave. Staff with an annual leave allowance in excess of 20 days will have their allowance reduced on a pro rata basis. However, it must be noted that if no other unpaid time off is taken, staff will still receive 4 working weeks (20 days) as a statutory entitlement. [See examples in appendix A.]

Annual Leave - Work-sharing Staff: Work-sharers who avail of special leave will also have their annual leave entitlement calculated in accordance with the provisions of the Act as set out in Circular 31/2001: Civil Service Work-sharing Scheme.

Public Holidays - Full-Time Staff: The entitlement of staff to the benefit of any public holidays falling within the period of special leave is determined by the provisions of the Act. A staff member who has not been absent for more than 13 weeks prior to the public holiday is

entitled to benefit from the public holiday. The University shall determine which of the following a fulltime staff member is entitled to:

- a) a paid day off within a month of that day;
- b) an additional day of annual leave;
- c) an additional day's pay.

Public Holidays – Work-sharing Staff: For work-sharing staff who avail of special leave the University shall determine in accordance with the Act which of the following a staff member is entitled to:

- a) 1/5th of their weekly total of hours off within one month;
- b) 1/5th of their weekly total of hours to be added to their annual leave;
- c) 1/5th of their weekly pay (equal to 1/10 of their fortnightly pay).

6. Restriction on taking leave

The starting date for special leave will be agreed by the staff member with their line manager having regards to business demands, including the need to train replacement staff if any. Subject to the discretion of management, staff will not be granted leave (paid or unpaid) in the four weeks immediately prior to and following the period of special leave. This restriction will not apply to leave, the granting of which is governed by statute, such as maternity, adoptive, parental or carer's leave.

Staff who commence maternity or adoptive leave during special leave retain their normal statutory entitlements. The granting of sick leave in the four weeks immediately prior to and following the period of special leave will remain subject to the normal rules.

7. Arrangements for the Payment of Salary

The period of special leave is unpaid. However, those participating in the scheme may apply for special administrative arrangements for the payment of part of basic salary during the period of special leave provided that an application in writing by a certain date, determined by the University, is made in the year prior to the year in which it is proposed to avail of the special leave. There may be some variations between salary payments in different periods of the year, but every effort will be made to ensure equal payments of basic salary. If a staff member availing of these special administrative provisions in respect of pay takes other

unpaid leave during the twelve-month period, then the pro rata rate of salary will be adjusted accordingly.

Staff availing of the special administrative arrangements for the payment of salary may not vary their working hours during the same year. Each participant is required to give an undertaking that any overpayment that may arise from their participation in the scheme will be repaid to the University not later than the last day of the tax year, 31 December, unless otherwise agreed.

Staff should note that, under PRSI rules¹ a person availing of special leave is not earning during the period of leave and is not therefore making PRSI contributions. Staff availing of special leave should contact the Department of Social & Family Affairs to clarify their individual position. It is the responsibility of the person availing of the scheme to make arrangements to ensure that any voluntary contributions (e.g. health insurance, savings plans, etc.) normally deducted from salary continue to be paid.

8. Social Welfare - Family Income Supplement

Staff in receipt of Family Income Supplement who intend to avail of special leave must contact the Department of Social, & Family Affairs to clarify their entitlements.

9. Reckonable service

The period of special leave will reckon for the purposes of increments and seniority. The period of special leave will not reckon for pension purposes.

10. Sick Leave

Staff may not avail of sick leave during the period of special leave.

11. Restriction on Career Breaks

A staff member taking special leave who avails of administrative arrangements for the payment of salary over twelve months may not take a career break in the same year in which they avail of special leave. However, in exceptional circumstances, at the discretion of

¹ A person paying Class A PRSI requires 39 insured weeks in the relevant tax year to qualify for benefits. The relevant tax year for a PRSI claim is the last complete tax year before the start of the Benefit Year. (The Benefit Year starts on the first Monday in January).

Human Resources, a career break may be granted in the same year in which a staff member avails of special leave. Any overpayment which may have arisen as a consequence of taking special leave would have to be repaid to the University prior to the commencement of the career break.

12. Promotion

Staff will continue to be eligible for promotion while on special leave, subject to their meeting the usual eligibility criteria. Staff who attend for interview, or who sit examinations as part of internal or interdepartmental promotion competitions, during normal working hours or on Saturdays, while on special leave, will receive leave in lieu. An offer of promotion made to a staff member during the period of special leave may, in certain circumstances, be conditional on the person resuming duty in the higher grade with immediate effect.

13. Filling of Ensuing Vacancies

Departments / Functional Units should normally reallocate or re-organise work of staff, where any vacancy arises under this scheme. The filling of vacancies arising through staff availing of special leave, including through the granting of higher duty allowances, will be subject to current Government policy on public service numbers and, in particular, the moratorium on recruitment and promotion.

Where specifically sanctioned, the recruitment of staff on a temporary basis to replace staff availing of special leave should be in accordance with such agreed procedures that may exist with the relevant staff unions from time to time for the recruitment of staff to the higher education sector and must be carried out on the basis that the University remains within their agreed whole-time equivalent staff complement. Temporary staff should not be retained for a period greater than a year. In the case of retired civil servants appointed as temporary replacement staff, pension abatement arrangements, as appropriate, will apply.

Where staff return from a career break for educational purposes to fill a vacancy, such service will be regarded as a temporary suspension of their career break and will reckon for purposes of seniority, increment and superannuation purposes. An officer returning in such circumstances will return at the grade at which they were serving prior to the career break, if appointed to a vacancy at the same grade.

14. Applications

Staff wishing to avail of special leave must apply each year to participate in the scheme.

TUS will inform staff of the procedure for making applications, including discussions with line management, and to whom applications should be addressed. Applications for special leave under this scheme should be submitted for approval via the Employee Request facility on the Employee Self Service System (ESS) by a certain date, determined by the University, in the year prior to the year in which it is proposed to avail of special leave. Staff will be required to state the period and time of the year that they wish to apply for special leave. Applicants must understand that business needs may preclude the granting of the special leave that they have applied for and they must, in such circumstances, be prepared to discuss possible alternatives, if feasible.

TUS may, at its discretion, indicate that they will consider applications for periods of special leave of up to eight weeks at any time from a staff member who has not applied to participate in the scheme previously, subject to the person not availing of the special administrative arrangements in respect of pay. Any such applications should be made via the Employee Request facility on the Employee Self Service System (ESS) in writing as soon as is reasonably practicable but not later than six weeks prior to the proposed commencement date of the period of special leave.

Applications for special leave will be granted as far as possible; however, the needs of the work may require that some or all applications will have to be refused. The operation of the scheme is subject to the operating requirements of the University is not being adversely affected. It is also important that the absence of staff on special leave does not place an undue burden on the staff remaining in the workplace. University will consider the work patterns and anticipated leave needs of those remaining in the workplace when considering whether an application will impact upon operating requirements.

TUS may decide, where not all applications can be granted, to set out the grounds on which priority will be given to applications, for example, priority to be given to staff who have not previously availed of special leave under this scheme (or Term Time Leave under Circular 32/06). University have discretion to refuse some or all of the applications made. In particular, the University may refuse an application for special leave under this scheme in the following circumstances –

- staff member has specialist or hard-to-replace skills,
- staff member works in a location or area where an absence would be difficult to accommodate for the proposed period of special leave,
- where there are a number of applications from a particular location or work area for special leave under this scheme,
- where there are or will be a number of staff members on reduced work hours or other types of leave, including statutory leave, in that location or area under other schemes, or
- any other stated reason.

University will consider, in advance of refusing any application, whether an application for a different period of special leave or a different time of the year would be acceptable and, if so, discuss changing or deferring the period of special leave with the applicant. Where applicable, Heads of Functional Units may, in consultation with relevant staff, wish to arrange for staggered periods of special leave (e.g. over the summer months).

Staff whose applications are accepted will be required to confirm, in writing, that they wish to avail of the relevant period of special leave without pay. It will not be possible for a staff member to withdraw or to alter an application for the scheme once that undertaking has been given if they have applied for special salary arrangements. An offer of participation must be accepted within five working days of the offer being made to a staff member. Failure to do so will be considered as a refusal. An offer may then be made to another staff member.

15. 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.

16. Queries

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

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

Appendix A - Annual Leave Calculations for Staff availing of the Shorter Working Year scheme

Annual Leave - Full-Time Staff

1) a staff member who has 22 days annual leave and avails of thirteen weeks unpaid special leave, would have their annual leave entitlement reduced by 25% or 5.5 days to reflect the period of unpaid special leave. As the pro rata reduction would leave the staff member with less than their statutory minimum they will still receive 20 days.

The staff member will still have worked for more than 1365 hours and therefore entitled to 4 working weeks (20 days)

$(6.95 \text{ hours per day} * 5 \text{ days} * 39.18 \text{ weeks} = 1361.505 \text{ hours in the year.})$

Plus payment for the August Bank holiday = total of 1368.455 hours.)

2) a staff member who has 29 days annual leave and avails of thirteen weeks unpaid special leave, would have their annual leave entitlement reduced by 25% or 7.25 days to reflect the period of Term Time leave. Their annual leave entitlement would be 22 days.

Annual Leave – Work-sharers.

The Organisation of Working Time Act provides that from 1 April 1999, depending on time worked, the holiday entitlement of a staff member should be calculated by one of the following methods, whichever is the more favourable:

- a) 4 working weeks in a leave year in which the staff member works at least 1,365 hours (unless it is a leave year in which he or she changes employment);
 - b) one third of a working week per calendar month that the staff member works at least 117 hours;
 - c) 8% of the hours a staff member works in a leave year (but subject to a maximum of 4 working weeks);
 - d) pro-rata the holiday entitlement of an equivalent full-time staff member in that grade.
- (Option (d) is not part of the Organisation of Working Time Act 1997)

In calculating the number of days' holidays to which a staff member is entitled for the purposes of (a) (b) and (c) above, University will include all hours worked including extra attendance, rostered time spent on any form of paid leave (such as maternity leave, adoptive leave, paternity leave, force majeure parental leave, marriage leave, paid study leave and

paid examination leave), as well as holidays and public holidays taken during the calculation period. Certain unpaid leave is also counted (such as maternity leave and adoptive leave).

Example 1

Clerical Officer – Work-sharer - 4-day week pattern - avails of 10 weeks unpaid special leave (on 20 days leave if full time)

1 day = 6.95 hours, 1 week = 27.8 hours (6.95 x 4)

Annual hours = 1172.6 hours (27.8 hours x 42.18 weeks)

1172.6 hours is 64.68% of annual hours of a full-time staff member (1813.255 hours) for Option D.

The staff member was paid for the August bank holiday (only one in this example).

$1172.6 + 6.95 = 1179.554$ hours worked for Options A - C.

Option A	does not apply in this case because the staff member works less than 1,365 hours per year
Option B	for the purposes of this example there are eight months in which a 4-day week staff member is availing of the Shorter Working Year scheme may work more than 117 hours in the month. $\frac{1}{3}$ of a week = 9.27 hours x 8 = 74.16 hours per year. $74.16 \div 6.95 = 10.67$ days leave.
Option C	8% of 1172.6 hours (total annual hours) = 94.36 hours $\div 6.95 = 13.58$ days (rounded up to 14 days).
Option D	pro rata a full-time staff member. 20 days x 64.68% = 12.93 days.

Option C gives the most favourable outcome – staff member entitled to 14 days annual leave.

Example 2 –

Clerical Officer – Work-sharer - 4-day week pattern - avails of 13 weeks unpaid special leave (on 20 days leave if full time)

1 day = 6.95 hours, 1 week = 27.8 hours (6.95 x 4)

Annual hours = 1089.2 hours (27.8 hours x 39.18 weeks)

1089.2 hours is 60.07% of the annual hours of a full-time staff member

Option A	does not apply in this case because the staff member works less than 1,365 hours per year
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Option B	for the purposes of this example there are eight months in which a 4-day week staff member availing of the Shorter Working Year scheme may work more than 117 hours in the month. $1/3$ of a week = 9.27 hours x 8 = 74.16 hours per year. $74.16 \div 6.95 = 10.67$ days leave.
Option C	8% of 1089.2 hours (total annual hours) = 87.14 hours $\div 6.95 = 12.54$ days leave (rounded up to 13 days).
Option D	pro rata a full-time staff member. 20 days x 60.07% = 12.01 days

Option C gives the most favourable outcome – staff member entitled to 13 days annual leave.

Example 3

Assistant Principal – Work-sharer - 4-day week pattern - avails of 10 weeks unpaid special leave

1 day = 6.95 hours, 1 week = 27.8 hours (6.95 x 4)

Annual hours = 1172.6 hours (27.8 hours x 42.18 weeks)

1172.6 hours is 64.68% of the annual hours of a full-time staff member 1 day = 6.95 hours

Option A	does not apply in this case because the staff member works less than 1,365 hours per year
Option B	for the purposes of this example there are eight months in which a 4-day week staff member availing of the Shorter Working Year scheme may work more than 117 hours in the month. $1/3$ of a week = 9.27 hours x 8 = 74.16 hours per year. $74.16 \div 6.95 = 10.67$ days leave.
Option C	8% of 1172.6 hours (total annual hours) = 93.8 hours $\div 6.95 = 13.49$ days.
Option D	pro rata a full-time staff member. 31 days x 64.68% = 20.04 days (rounded up to 20.5 days).

Option D gives the most favourable outcome – staff member entitled to 20.5 days annual leave.

Example 4

Assistant Principal – Work-sharer - 3-day week pattern - avails of 13 weeks unpaid special leave

1 day = 6.95 hours, 1 week = 20.85 hours (6.95 x 3)

Annual hours = 816.9 hours (20.85 hours x 39.18 weeks)

816.9 hours is 45.06% of the annual hours of a full-time staff member

Option A	does not apply in this case because the staff member works less than 1,365 hours per year
Option B	does not apply in this case because a staff member working a 3- day week pattern works less than 117 hours per month
Option C	8% of 816.9 hours (total annual hours) = 65.35 hours ÷ 6.95 = 9.4 days.
Option D	pro rata a full-time staff member. 31 days x 45.06% = 13.97 days (rounded up to 14 days).

Option D gives the most favourable outcome – staff member entitled to 14 days annual leave.