



Circular Letter 0082/2015

**To: The Managerial Authorities of Recognised Primary, Secondary, Community,
and Comprehensive Schools
and
The Chief Executives of Education and Training Boards**

**Revised Employment and Pension Arrangements for Staff in the Education and Training
Sector who are elected or appointed to the Oireachtas**

Introduction

1. I am directed by the Minister for Education and Skills to refer to a recent Government decision which revises employment and pension arrangements for staff in the education and training sector who are elected or appointed to the Oireachtas.
2. Under the terms of a previous Government decision, as communicated in Circular 10/2011 (which remains in force), a teacher who is elected/appointed to the Dáil or Seanad cannot remain in their teaching post and has the option of applying for a career break of up to 10 years. The Government has now decided to extend the same arrangement to all staff in the education and training sector. Accordingly, employers are now directed to put similar arrangements in place for all other staff in their employment, where such arrangements are not already in place.

**Revised arrangements for Staff in the Education and Training Sector who are elected or
appointed to the Oireachtas**

3. The following shall apply with effect from the commencement of the next Oireachtas term (32nd Dáil and 25th Seanad):
 - i. A staff member who is elected/appointed to the Oireachtas cannot remain in their post while serving as a member of the Oireachtas;
 - ii. A staff member who is elected/appointed to the Oireachtas shall be given the option of applying for unpaid leave while serving as a member of the Oireachtas;
 - iii. Where the staff member is employed in a grade which currently has a career break facility, the unpaid leave will be taken by the Oireachtas member in the form of a career break;
 - iv. Where the staff member is employed in a grade which does not currently have a career break facility, the format of the unpaid leave to be taken by the staff member will be determined between this Department and the relevant employer. Employers should notify this Department of such cases immediately at the following address esr@education.gov.ie;
 - v. The career break/period of unpaid leave shall not exceed 10 years in duration;
 - vi. The career break/period of unpaid leave shall not count as service for incremental credit or incremental progression purposes;

- vii. The career break/period of unpaid leave will not count as pensionable service as the Oireachtas member will be accruing pension under the Oireachtas pension scheme and provision exists to transfer service for superannuation purposes between the Oireachtas pension scheme and other public service schemes.
 - viii. At the end of the 10 year period of career break/unpaid leave, the staff member must return to their post or resign from it;
 - ix. Should the staff member resign from their post during or at the end of the 10 year period of career break/unpaid leave and subsequently wish to return to a post in the public service, s/he must apply for a post in the normal way;
 - x. Where a replacement staff member is to be employed, he/she shall be offered a fixed-term contract for the duration of the career break/unpaid leave to be terminable on the return or the resignation/retirement of the staff member on career break/unpaid leave, whichever is the sooner.
4. Where staff/grades are currently prohibited from seeking a nomination or standing for election to the Oireachtas, this prohibition will continue and is not altered by the Government decision.

Circulation and Queries

5. Please ensure that copies of this Circular are provided to all members of the Board of Management/Education and Training Board and its contents are brought to the attention of all relevant staff in your employment including those on leave of absence. **In particular, employers should immediately notify serving Oireachtas members in their employment of the revised arrangements in writing** and notify newly-elected/appointed Oireachtas members of the arrangements in writing following their election/appointment.
6. This Circular can be accessed on the Department's website under www.education.ie
7. Enquiries regarding this Circular should be e-mailed to: esr@education.gov.ie

Philip Crosby
Principal Officer
External Staff Relations

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