

Reference No: E103/5/76 ; **Date:** 20/03/79

Circular 8/79:- Special Leave for domestic reasons

A Dhuine Uasail

1. I am directed by the Minister for the Public Service to state that agreement has been reached at the General Council on a claim made under the conciliation and arbitration scheme for a review of the arrangements regarding special leave for domestic reasons.

2. Accordingly, with effect from the current leave year, the following revised arrangements may be applied by Departments in relation to special leave for domestic reasons, subject to general regulations governing the grant of special leave.

Special leave with pay

3. Special leave with pay up to a maximum of three days may be allowed (i) on the death of an immediate relative or (ii) in exceptional circumstances, on the death of a more distant relative where, for example, the officer has to take charge of funeral arrangements or has lived in the same house as the deceased. On the death of a spouse the maximum number of days allowable may be increased to five. Extra days may be allowed where an immediate relative dies abroad and the officer has to go abroad to take care of the funeral arrangements.

4. If the annual leave for which the officer is eligible has been exhausted, special leave with pay up to a maximum of three days in any one leave year may be granted in the event of the serious and unforeseen illness of an immediate relative or, in exceptional circumstances, of a more distant relative. In the case of the serious and unforeseen illness of a spouse in these circumstances the maximum number of days allowable may be increased to five.

Special leave without pay

5. Special leave without pay up to a maximum of two months may be granted in special circumstances for urgent domestic affairs. Where special leave is sought for the purpose of coping with family difficulties arising from the death or serious illness of an immediate relative, the amount of leave without pay allowable may be extended to six months.

6. Special leave without pay up to a maximum period of six months may be granted for the care during illness or old age of an immediate relative or, in exceptional circumstances, of a more distant relative, provided that no suitable person other than the officer concerned is available to provide the care.

7. Special leave without pay up to a maximum period of two months may be granted to enable an officer to travel abroad to visit an immediate relative or, in exceptional circumstances, a more distant relative, who is suffering from serious and unforeseen illness provided that the officer is the only relative able to make the visit.

Anticipation of annual leave

8. An officer whose annual leave allowance for the current leave year has been exhausted and who is confronted with an unforeseen but compelling social obligation, e.g. the wedding of a close friend or relative, may be allowed to anticipate up to two days of the annual leave allowance for the next leave year for this purpose. This arrangement will only apply in the last three months of the leave year and will be

subject to the condition that the Head of the Department has no reason to believe that sufficient service will not be given to cover the leave anticipated.

General

9. In the context of paragraphs 3-7 above "immediate relative" means a father, mother, brother, father-in-law, mother-in-law, sister or child; it also means a husband or wife where specific provision is not made in relation to spouses.

10. Where periods of special leave are expressed in days in paragraphs 3 and 4 above, these references should be read as meaning working days.

11. The provisions of paragraphs 3 and 4 above do not apply to officers in short-term casual employment i.e. temporary staff who are expected to have their employment terminated before the end of six months. Such officers are not eligible for special leave with pay.

12. Before granting special leave under these arrangements, Departments should satisfy themselves that the circumstances fully justify the concession allowed. The maximum periods of special leave should be granted only where the situation warrants this. The provisions under different paragraphs should not be combined to extend the period of leave allowed in a particular situation.

13. Special leave without pay does not count as service for the purposes of superannuation, annual leave or increments (other than those related to age).

14. Any enquiries about this Circular should be addressed to General Section, Department of the Public Service (Tel. 779601 Ext. 233).

Mise le meas
K Murphy