



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Oifig an Stiúirthóra Náisiúnta, Acmhainní Daonna
Feidhmeannacht na Seirbhíse Sláinte
Ospidéal Dr. Steevens'
Baile Átha Cliath 8

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21st October 2015

**To: Each Member of the Directorate and Leadership Team HSE
Each Hospital Group CEO
Each Chief Officer, CHO
Each Assistant National Director, HR
Each Employee Relations Manager
Each CEO Section 38 Agency**

Re: HR Circular 024/2015 - Sick Pay Scheme: New Pregnancy-Related Sick Leave Provisions

Dear Colleagues

I enclose a copy of **Department of Health Circular 12/2015** which sets out the new statutory arrangements for pregnancy-related sick leave in the health sector as set out in the revised Public Service Sick Leave Regulations.

These new provisions governing the treatment of pregnancy-related illness have already been implemented on an *administrative basis* in the health sector with effect from **31st March 2014** (pending enactment of the revised Regulations). The Department of Health Circular confirms that these provisions now have a statutory basis. A copy of the Department of Public Expenditure and Reform's Guidance on the Sick Leave Scheme, which incorporate these amendments, is attached as an appendix to the Department of Health Circular.

The revised Public Service Sick Leave Regulations contain two additional provisions to deal with the treatment of sick leave following pregnancy-related sick leave (PRSL). In general, the new provisions provide for the following:

Transitional Arrangement: Discount all pregnancy-related sick leave that occurred before the introduction of the new Public Service Sick Leave Scheme for the purpose of calculating access to paid sick leave under the current Scheme.

On-going Arrangement: A woman who has exhausted her access to paid sick leave due to pregnancy-related sick leave in the previous 4 years may have access to additional paid sick leave at the half rate of pay for non-pregnancy related sick leave. Under this arrangement all PRSL (regardless of whether paid sick leave was at the full rate or the half rate of pay) may be credited back to employees at the half rate of pay within the normal sick leave limits.

Under this arrangement, the number of additional days allowed:

- (i) will be the equivalent number of days taken due to pregnancy-related sick leave in the 4 years
- (ii) must not exceed normal sick leave limits (183 days or 365 days for cases which are approved under the Critical Illness Protocol) for non-pregnancy-related sick leave when aggregated with other non-pregnancy-related sick leave in the previous 4 years.

Please find enclosed a copy of the Department of Public Expenditure and Reform's comprehensive Guidance Document which outlines the changes to the treatment of pregnancy-related sick leave (including examples).

You are required to ensure that the revised arrangements, which came into effect from 31st March 2014, have been put in place within your area of responsibility. Please bring this Circular and Guidance Document to the attention of appropriate staff in your area so that they are aware that the new provisions on pregnancy-related sick leave now have a statutory basis.

Queries

Employees and Managers are invited to address any queries that they may have regarding these arrangements to their local HR/Employee Relations Departments.

Queries from HR/ER Departments may be referred to Employee Relations Advisory Services, HR Directorate, HSE, 63/64 Adelaide Road, Dublin 2, Tel: 01-6626966, E-mail: info.t@hse.ie

Yours sincerely



Rosarii Mannion
National Director of Human Resources