

Civil Service Conciliation and Arbitration Scheme

General Council Report 1458

(Meeting/s of 28 July 2004, 27 July 2005)

That the limit of 26 days in respect of combined annual leave and special leave in cases of serious illness specified in Annex 1 to Circular 22/98 be increased from 26 days to 29 days.

1. Special leave in the event of serious and unforeseen illness/injury of an immediate relative is given under Circular 22/98, Annex 1, para. 2(b). The leave is restricted to civil servants whose annual leave together with the special leave for illness/injury, does not exceed 26 days.
2. The Staff Side pointed out that the 26 day limit had originally been based on the maximum annual leave allowance of the HEO grade. The Official Side said the overall total in respect of annual leave and special leave in cases of serious and unforeseen illness/injury is stated as 26 days in Circular 28/91, para. 4 and Circular 22/98, Annex 1, para. 2b.
3. The Staff Side went on to say that as the HEO annual leave allowance had been increased to a maximum of 29 days after 10 years in the grade, that the overall total for annual leave and special leave for serious and unforeseen injury/illness should now also be increased to 29 days.
4. In reply, the Official Side said that if the overall total was increased to 29 days, staff on 27 or 28 days annual leave would then become entitled to special leave in the event of illness/injury, an entitlement they did not have under Circular 28/91, para. 4 and Circular 22/98, Annex 1, para. 2b. The Official Side stated further that it was not appropriate to increase the overall total of annual leave and leave for illness/injury, as *force majeure* leave had now provided a statutory entitlement to leave for illness/injury (Parental Leave Act 1998, Section 13). Under 22/98, Annex 1, para. 2(c), *force majeure* leave and special leave for illness/injury can be combined together to give civil servants (with 26 days or less a/l) very favourable time off in cases of serious illness/injury to an immediate relative.
5. In the circumstances, the Official Side did not agree that an increase in the combination of a/l and special leave for illness/injury was warranted.
6. This report, recording disagreement, was adopted on 27 July 2005.

Agreed report, recording disagreement.

This report was adopted on 27 July 2005