

Reference No: E103/5/76; **Date:** 27/10/91

Circular 28/1991:- Special Leave for domestic reasons

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I am directed by the Minister for Finance to say that agreement has been reached at the General Council, under the Scheme of Conciliation and Arbitration for the Civil Service, on revised arrangements governing special leave for domestic reasons (General Council Report 1219 refers).

2. Accordingly, subject to general regulations governing the grant of special leave, the following arrangements may, with effect from the current leave year, be applied by Departments/Offices in relation to special leave for domestic reasons, in substitution for the provisions of DPS Circular 8/79, which is hereby superceded.

Paid Leave

3. Bereavement: Special leave with pay may be allowed to an officer in the event of the death of an immediate relative up to a limit of

- (a) 5 working days in the case of a spouse or child, and
- (b) 3 working days in the case of other immediate relatives.

In exceptional circumstances (e.g. where the officer concerned has lived in the same house as the deceased or has to take charge of funeral arrangements) an officer may be granted up to 3 working days' special leave on the death of a more distant relative. In a case where an officer has to travel abroad to make funeral arrangements in respect of an immediate relative, special leave with pay in excess of the limits prescribed above may be granted at the discretion of the Head of the Department/Office concerned.

4. Family illness: In the event of the serious and unforeseen illness of an officer's immediate relative, special leave with pay may be granted up to the limits prescribed at (a) and (b) of paragraph 3 above, as appropriate, provided that the amount of special leave granted to an officer in any one leave year, together with the officers annual leave allowance (excluding carry-over leave) for that year, does not exceed a total of 26 days. This overall limit will not however apply if the annual leave allowance of the officer concerned has been exhausted. The provisions of this paragraph may also be applied, in exceptional circumstances, in the event of the serious and unforeseen illness of a more distant relative.

Unpaid leave

5. An officer may be granted special leave without pay for domestic reasons subject to the following conditions and upper limits:

- (a) 6 months to (i) cope with difficulties arising from the death or serious illness of an immediate relative or (ii) care for an immediate relative during sickness or old age (provided no suitable person other than the officer is available to provide the care);
- (b) 2 months to (i) travel abroad to visit an immediate relative suffering from serious and unforeseen illness (provide the officer is the only person who can make the visit) or (ii) deal with urgent domestic affairs other than those referred to elsewhere in this paragraph.

The provisions of this paragraph which relate to death, old age or illness of an immediate relative may also be applied, in exceptional circumstances, in respect of more distant relatives.

Anticipation of annual leave

6. An officer whose annual leave allowance has been exhausted and who, in the last 3 months of the leave year, is faced with a compelling but unforeseen social obligation involving absence from duty (e.g. the wedding of a relative or close friend) may for this purpose be allowed to anticipate up to 2 days of his/her annual leave allowance for the next leave year. However this facility will not be granted if the Head of the Department/Office concerned has reason to believe that the officer will not give sufficient future service to cover the annual leave which he/she wishes to anticipate.

General

7. For the purposes of paragraphs 3 to 5 of this Circular, "immediate relative" means the spouse, child, father, mother, brother, sister, father-in-law or mother-in-law of an officer.

8. The paid leave provisions in paragraphs 3 and 4 of this Circular do not apply to staff engaged in a temporary capacity whose employment is expected to be terminated within 6 months.

10. Officers who avail of special leave without pay under paragraph 5 of this Circular should be reminded that such leave is not reckonable as service for the purposes of increments (other than age-related increments), annual leave or superannuation.

11. In applying the provisions of this Circular, Departments/Offices should

(a) satisfy themselves that the circumstances which give rise to an application for special leave or anticipation of annual leave fully justify any concession granted;

(b) grant the maximum period of paid or unpaid leave only where the situation warrants this course; and

(c) ensure that the provisions of different paragraphs or subparagraphs of the Circular are not combined so as to exceed the maximum period of leave allowable in a particular situation.

12. Any queries from Departments/Offices about this Circular should be referred to this Department (ext. 3539 or 3565). Queries from individual officers should be directed to the Personnel Units of the employing Departments/Offices.

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J. McGovern
Assistant Secretary