



Circular 0055/2016

To: The Chief Executives of Education and Training Boards

Revised Payment Mechanism for Certain Hourly-Paid Staff (other than Teachers and Special Needs Assistants) with effect from the Commencement of the 2016/17 Academic Year

Cessation of “Rolled-up Holiday Pay”

Purpose of Circular:

1. The purpose of this Circular is to inform relevant hourly-paid staff and Education and Training Boards of the changes to the pay arrangements for certain hourly-paid staff (other than Teachers and Special Needs Assistants) with effect from the commencement of the 2016/17 academic year.
2. The hourly rates paid to certain hourly-paid staff (other than Teachers and Special Needs Assistants) have heretofore included an element in respect of annual leave. This practice is known as “rolled-up holiday pay”. The effect of this Circular is to cease the practice of paying “rolled-up holiday pay” to such staff and to introduce a separate payment in respect of holiday pay. This change is being made to bring the method of remunerating such staff into line with the European Union Working Time Directive, following a decision of the European Commission.
3. It is important to note that the overall remuneration of such staff is not being changed as a result of this Circular. The pay of a staff member under the new arrangements set out in this Circular in respect of any period of employment will be equal to the pay which the staff member would have received for the corresponding period of employment under the pre-existing arrangements.

Changes for Hourly-Paid Staff who currently receive “Rolled-up Holiday Pay” (other than Teachers and Special Needs Assistants)

4. The changes are summarised as follows:
 - (i) Where hourly-paid staff currently receive “rolled-up holiday pay”, with effect from the commencement of the 2016/17 academic year, 8% will be removed from the current hourly rate. This represents the staff member’s statutory annual leave entitlement. The staff member will accumulate statutory annual leave to the value of 8% of time worked.

- (ii) The Organisation of Working Time Act provides that the times at which annual leave is granted to an employee shall be determined by his or her employer. Therefore, staff will take and be paid their accumulated statutory annual leave entitlement during the closure periods at Christmas, Easter and summer as follows:
- During the Christmas closure period, staff will take the statutory annual leave which they have accumulated since the commencement of the academic year and will be paid for such leave;
 - During the Easter closure period, staff will take the statutory annual leave which they have accumulated since the end of the Christmas closure period and will be paid for such leave;
 - During the summer closure period, staff will take the statutory annual leave which they have accumulated since the end of the Easter closure period and will be paid for such leave.
- (iii) The base hourly rate includes payment for all of the staff member's working time apart from the staff member's statutory annual leave.
- (iv) These revised arrangements will be implemented with effect from the commencement of the 2016/17 academic year.
5. The agreed level of statutory annual leave accumulated based on the hours worked in a term by a staff member is set out at Appendix 1. The staff member will accumulate statutory annual leave as per Appendix 1 and will take and be paid for such leave as set out at Paragraph 4 (ii) above.

Circulation and Queries

6. Please ensure that copies of this Circular are provided to all members of the 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.
7. This Circular can be accessed on the Department's website under <http://www.education.ie>.
8. Queries in relation to this Circular should be addressed to the staff member's employer ETB.

Philip Crosby
External Staff Relations
17 August 2016

Appendix 1

**LEVEL OF STATUTORY ANNUAL LEAVE ACCUMULATED BY
A STAFF MEMBER PER TERM**

Hours worked in the Term	Days of Statutory Annual Leave Accumulated
0 to 58	8% of time worked
59 to 115	1
116 to 172	2
173 to 230	3
231 to 288	4
289 to 345	5
346 to 403	6
404 to 460	7
461 to 518	8
519 to 576	9
577 to 633	10
634 to 691	11
692 to 748	12