



Circular Letter 0071/2017

To: The Chief Executives of Education and Training Boards

FLEXI TIME SCHEME FOR ADMINISTRATIVE PERSONNEL IN EDUCATION AND TRAINING BOARDS

The Minister for Education and Skills directs you to implement the regulations and procedures regarding flexi time for administrative personnel in ETBs whose posts are wholly funded by monies provided by the Oireachtas.

The regulations and procedures outlined in this circular are to be implemented by each employer and all administrative staff must adhere to the terms of the attached circular.

This circular supersedes all previous circulars, memoranda, rules, regulations and arrangements in relation to flexi time for administrative staff in Education and Training Boards. Please ensure that copies of this circular are brought to the attention of all administrative staff in your employment, including those on leave of absence.

Queries should be sent in the first instance to hr@etbi.ie for collation and forwarding to Department of Education and Skills where appropriate. This Circular can be accessed on the Department's website under www.education.ie

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Flexitime Scheme for all administrative staff

Definitions

For the purposes of this scheme the following terms shall have the meanings assigned to them here unless the context indicates otherwise:

Flexitime – means a scheme to provide for flexible attendance at work

Employee – means an administrative staff member of an ETB.

Employer – means an Education and Training Board (ETB).

Administrative Staff – means those employed in clerical or administrative roles from Grade III through to Grade VII

The Department – means the Department of Education and Skills.

1. Introduction and purpose

- 1.1 To implement a single Flexible Work Arrangement (Flexitime) Scheme in ETBs. This scheme will replace all flexi time schemes currently operated in the ETB sector.
- 1.2 The Flexitime Scheme is intended to give eligible staff the opportunity and responsibility of organising their working hours with clearly defined limits to overcome travelling problems and to fit in with their domestic and personal arrangements. The increased freedom which the system gives also brings greater responsibilities to all concerned. The manner in which individual staff members exercise their freedom will determine the success of the scheme.

2. Principles

- 2.1 The scheme is implemented on the understanding that the services provided by each ETB continue to operate effectively and efficiently and that local business needs will not be impacted upon negatively. This will be particularly important in schools/centres where there are low levels of administrative staff. If it is seen that the implementation of the scheme has a negative impact on local business needs, consideration will be given to withdrawal of the scheme. In particular regard to schools/centres, consideration may be given at the discretion of the ETB, for facilitating arrangements such as opening and closing of buildings, the accrual of days (subject to a maximum accrual of 4 days at any one time and subject to the maximum allowed in any one year as set out in Section 6.1 of this circular) to be taken during school/centre closure, etc..
- 2.2 If the work in any section is adversely affected by the operation of the scheme, then steps will be taken to restore normal working hours with necessary changes in the flexible working hours regulations.
- 2.3 It is important that sufficient staff be available outside core times to carry out normal work. Adequate numbers of staff must be available during the public opening hours of each office/school/centre of each working day. Co-operation from all staff (especially supervisory staff) is, therefore, essential. It may be necessary to restrict the flexibility experienced by certain staff in order to cope with peaks in the workflow. The supervisor/manager must always be satisfied that there are adequate numbers of staff.

- 2.4. Supervisory/management staff must be prepared to accept responsibility for some aspects of the scheme. They must ensure that workflow and outputs are maintained, that staff are adequately supervised and that adequate numbers of staff are always in attendance. To ensure smooth workflow and to facilitate flexitime, section management will be required to ensure that a core number of staff are available at all times during office opening hours. The numbers required to be present as core staff will be determined by the section management having regard to the size of the section, the work patterns and the nature of the business.
- 2.5 The scheme imposes greater responsibility on all staff to co-ordinate their working hours with other members of the team in the section in which they work.
- 2.6 Attendance outside standard hours will depend on work being available. It may not be possible, therefore, to allow an individual the maximum flexibility on a particular day. This will have to be determined by each supervisor/head of department.
- 2.7 The scheme may be amended or terminated at any time following consultation with management and staff representatives.

3 Grades affected

- 3.1 Flexitime will only be available for administrative staff from Grade III to Grade VII.
- 3.2 Assistant Principals (APs) and their equivalents will not have access to flexitime unless, on 30 June 2013, they already have access to this arrangement.
- 3.3 APs and their equivalents that have access to flexitime on 30 June 2013 will retain it on a personal basis for as long as they remain in the same grade and are employed in an organisation that has access to flexitime for APs.

4 Operation of the scheme

- 4.1 The operation of a flexitime scheme provides that outside certain times of the day (core times) when staff must be on duty and subject to work requirements, individuals will be given a measure of freedom to fix their own hours of attendance in consultation with the supervisor/manager.
- 4.2 Employers should implement a procedure for the management of the flexitime system, providing guidelines to staff as to how to register/clock in or out in the mornings, evenings and on lunch breaks.
- 4.3 Such procedures should also address system security issues, including access, privacy and how any abuses will be dealt with.
- 4.4 Under no circumstances shall any person register in or out of the system for another person. Any breach of this rule will be registered as a serious abuse of the system resulting in withdrawal of the flexi-time system from the individual concerned and/or may result in disciplinary action.
- 4.5 Personal appointments should, where possible, be arranged outside core time. Personal appointments during core hours will be permitted on an exceptional basis only.

4.6 At the end of each accounting period the attendance records will be totalled and the difference between total hours worked and normal working hours will be carried forward as credit or debit. ETBs, at their discretion and in order to ensure the efficient operation of the system in a variety of work settings, may operate separate reference periods for the accruing and taking of leave.

4.7 A maximum debit of 1.5 days will be allowed and a maximum credit of 1.5 days will be allowed. These limits apply to all staff, except in circumstances as outlined in 2.1 above.

4.8 **Normal Attendance Period**

The normal attendance period for the majority of administrative staff will be 37 hours (net) per week.

For those staff not on 37 hours per week, adjustments will need to be made to attendance periods by local management

4.9 **General Hours of Attendance**

- Standard Day(s) – may be grade dependent
- Core Time
- Flexible Bands
- Lunch Bands & minimum lunch periods

08.00 – 10.00 - Flexible Morning Band

Staff may start work any time during this band. Time worked before 08.00 will not gain credit

10.00 – 12.30 - Morning Core Time

Staff must be present during this period unless on an authorised absence

12.30 – 14.30 - Flexible Lunch Band

Staff must take a minimum lunch break of 30 minutes but the break may be extended to last up to 2 hours. Staff who fail to clock out for lunch or take less than 30 minutes for lunch incur an infringement. Two hours will automatically be deducted by the clock. An adjustment sheet and an explanation must be submitted as soon as possible in order to have the time deducted amended.

14.30 – 16.00 - Afternoon Core Time Staff must be present during this period unless on an authorised absence

16.00 – 18.30 - Flexible Evening Band

Staff may finish work any time during this band. Time worked after 18.30 will not gain credit.

Night Infringements

Night infringements occur when a staff member omits to clock out. The clock automatically records the staff member as having left at 4pm. An adjustment sheet and an explanation must be submitted as soon as possible in order to have the time amended.

- 4.10 The **maximum** amount of flexi leave allowed in any flexi period is **1.5 days**. Flexi leave must be requested and approved in advance.
- 4.11 Flexible working arrangements (flexitime) in the ETBs now take account of the additional working hours as a result of the Haddington Road National Agreement.
- 4.12 In exceptional circumstances, where the times set out above require amendment to meet local requirements and/or business needs, this can be done by local agreement with ETB Management.
- 4.13 Working off site should be recorded as required by the ETB.
- 4.14 It is advisable that staff make regular checks throughout the accounting period to ensure that hours worked are not in excess of the rules of the scheme.
- 4.15 Flexi-leave may only be taken after prior authorisation from the supervisor/manager – i.e. similar to annual leave arrangements.
- 4.16 An explanation must be given for unauthorised absence during core time (e.g. late arrival, early departure)

5. Carryover of balances

- 5.1 As per the section above, the maximum credit allowable for carry over of accrued flexitime is 1.5 day's positive and 1.5 day's negative, except in circumstances as outlined in 2.1 above. Standard working days will be counted as for the purposes of carryover of balances. Part-time staff will have pro-rated hours calculated according to their contracted hours.

6. Flexi Leave

- 6.1 Flexi leave must be requested and approved in advance. Where an accounting period is adjusted by the employer for local business needs, maximum flexi leave permissible on an annual basis is 19.5 days.

7. Other Leave

- 7.1 All other types of leave, e.g. Annual Leave, Sick Leave, etc. will continue to operate as normal without being impacted by the Flexitime provisions.
- 7.2 While the new Sick Leave regulations provide for the taking of time for medical and dental appointments through the sick leave scheme (on production of a medical certificate), it is also

open to employees to avail of flexi leave for such appointments should they prefer. Ideally all such appointments should take place outside of core hours.

8. Overtime

8.1 Overtime should be avoided or minimised by planning and scheduling of work. Flexi time should be the norm where it applies, and overtime should be a last option. Overtime, where necessary, will be paid to eligible staff as per DES guidelines. Overtime must be pre-approved by the Chief Executive of the ETB.

9. Termination of Service

9.1 On the termination of employment, salary adjustments will be made arising out of any debits incurred through working flexible hours. No additional payment can be made in lieu of a positive balance of hours accrued through flexitime and therefore employees should ensure that all flexitime accrued is taken prior to the last day of employment, by agreement with their manager.

10. Terms & Conditions

10.1 As per the Haddington Road Agreement, Flexible Work Arrangements will not apply to staff at Assistant Principal Officer grade and its equivalents except where staff already have this arrangement.

10.2 Where employees do not comply with the rules of the scheme or there is a pattern of unsatisfactory timekeeping/unauthorised absences during Core Hours, an employee may be subject to disciplinary action, which may result in the withdrawal of the flexi-time system from the individual(s) concerned and/or other sanctions as appropriate.

10.3 Any abuse of the system (e.g. absence without permission while being shown as clocked – in or clocking in our out for another person) will be regarded as a serious matter and will be a basis for disciplinary action.

11. Implementation

11.1 HR Departments should communicate this policy to all staff in their ETB. This policy is also available on www.education.ie.

11.2 The scheme may be amended or terminated at any time following consultation between management and staff representatives. The new scheme will be reviewed after an initial trial period of 2 years.

11.3 Provisions regarding the amount of flexi-leave per accounting period (at sections 4.7, 4.11 and 5.1) are in place on a pilot basis until further notice.

12. Further Information

12.1 In accordance with the introductory paragraph, the regulations in this circular are to be implemented by the employer. Therefore all queries should be initially brought to the attention of the HR Unit in a staff member's ETB.