

Civil Service Conciliation and Arbitration Scheme

General Council Report 1514

(Meeting/s of 25 June 2008, 24 September 2008, 26 November 2008)

That the Sick Leave Regulations for Established Civil Servants be amended in the case of staff who have long service and a good sick leave record so that the period of sick leave on full pay be increased to 12 months in the case of serious illness and, also, that the limit of 56 days sick leave in four years in respect of eligibility for promotion be increased to 112 days in the case of such staff

Civil Service Conciliation and Arbitration Scheme

General Council Report 1514

(Meeting 25 June 2008, 24 September 2008)

Claim: That the Sick Leave Regulations for Established Civil Servants be amended in the case of staff who have long service and a good sick leave record so that the period of sick leave on full pay be increased to 12 months in the case of serious illness and, also that the limit of 56 days sick leave in four years in respect of eligibility for promotion be increased to 112 days in the case of such staff.

This claim was lodged by at the General Council meeting of 25 June 2008. The Official Side gave its response to the claim at the General Council meeting of 24 September 2008

The existing civil service paid sick leave scheme as laid down in Circular 25/78, Appendix A:

- Six months (183 days) sick leave on full pay in any one year
- Twelve months (365 days) paid sick leave – between full and half pay – in any four year period.

After the paid sick leave entitlement had been exhausted, it is the practice in Departments/Offices to continue paying pension rate of pay if illness continues subject to the condition of a reasonable prospect of a resumption of duty, with an ability to render regular and effective service.

The civil service paid sick leave scheme is an excellent scheme that provides

a high level of ongoing support to staff suffering from a serious illness and to a very large extent eliminated financial stress and worry for most civil servants suffering serious illness. Few, if any, organisations have better.

The very significant enhancement in the scheme sought in the claim is not justified.

Section 27.7 of Towards 2016 provides that no cost-increasing claims by trade unions or employees for improvements in pay or conditions of employment, other than those provided for in sections 27.17 and 27.20 will be made or processed during the currency of the agreement. Concession of the claim could have significant cost increasing implications as there would be knock-on claims throughout the public service which would be difficult to reject.

Concession of the claim could be regarded as possible indirect discrimination and may not hold up to scrutiny under Employment Equality legislation. [Main ref. Section 8 - conditions of employment of the 1998 Employment Equality Act]

The staff side asked that a report recording disagreement be prepared. This report, recording disagreement, was adopted on 26 November 2008.

Aengus O'Riain
Official Side Secretary

Joan Byrne
Staff Side Secretary

Agreed Report recording disagreement

This report was adopted on 26 November 2008