

**Reference No:** E109/27/81;     **Date:** 06/09/2004

**06/09/2004 LP:- Exam Leave for staff on Maternity and Adoptive Leave**  
E109/27/81

To all Personnel Officers

06 September 2004

**Re: Exam leave for staff on Maternity and Adoptive Leave**

1. I refer to Agreed Report 1422 of General Council regarding exam leave for women on maternity leave.
2. The position regarding exam leave is as follows:
  - 2.1 Circular 2/76 provides for the grant, subject to certain conditions, of special leave with pay for the purpose of attending examinations held by the Civil Service Commissioners, the Department of Education, the Universities, recognised professional institutions, the Institute of Public Administration and other similar bodies. The terms of the Circular may also be applied to attendance at examinations conducted by the Local Appointments Commissioners.
  - 2.2 The purpose of this special leave is to compensate staff for time they take off from work to attend an exam. For example, the person takes annual leave or clocks out and claims a flexi credit for that part of the exam time when they would have been at work.
  - 2.3 It is the practice to give credit to an officer sitting a confined exam on a Saturday, subject to confirmation of attendance at the exam. No credit is given if an officer sits an open exam on a Saturday. As a woman on maternity leave must be deemed for all purposes (other than remuneration) to be in employment it has been agreed with the staff unions at General Council that the practice should also be applied to women on maternity leave. See Circular 35/95 Maternity Leave par. 3(f) and Confidential Circular 11/95 Maternity Leave – Information for Personnel Officers.
3. Where a confined exam takes place on a Saturday, a woman on maternity leave should be given a credit/time in lieu for sitting that exam, subject to the same conditions as other staff, including confirmation of attendance at the exam. Any credit/time in lieu should be granted immediately after maternity leave, or in the case of a woman taking additional maternity leave, immediately after additional maternity leave.

4. Where an exam takes place on a weekday (Monday to Friday) a woman on maternity leave is not suffering any loss of her time, therefore she is not entitled to any additional credits.

5. These provisions in relation to exam leave for women on Maternity leave should also be applied to staff on Adoptive Leave.

6. These provisions apply from the date of the Agreed Report: 30 June 2004.

7. Queries in relation to this letter should be addressed to the Civil Service Equality Unit, Department of Finance.

Yours sincerely,

Marie McLaughlin  
Principal  
Civil Service Equality Unit