



*Institiúid Teicneolaíochta
Bhaile Átha Luain*
Athlone Institute
of Technology

UNPAID LEAVE SCHEME FOR NON ACADEMIC STAFF

DOCUMENT CONTROL VERSION & REVISION HISTORY

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Version			



ATHLONE INSTITUTE OF TECHNOLOGY

UNPAID LEAVE SCHEME FOR NON ACADEMIC STAFF

Objective and Scope of the Unpaid Leave Scheme

1. The Unpaid Leave Scheme provides for unpaid leave for the purpose of allowing employees to match their working arrangements to the main holidays. The period of this leave shall be **unpaid special leave** (see paragraph 9).
2. The operation of the scheme is subject to the operating requirements of the Institute of Technology not being adversely affected. All applications to participate in the scheme will be considered in the context of the organisational needs of the Institute. In considering organisational needs, it may be necessary to limit the numbers who may participate in the Unpaid Leave scheme or it may not be practicable to allow the scheme to operate in some areas. Similarly, where there are a number of applications from a particular work area it may be necessary to limit the number of participants in the scheme from that area, for that year. In this context it will be necessary to ensure that a balance is struck between the rights of those availing of the scheme and those not availing of the scheme.

Applicants who are granted participation in the scheme this year may not automatically be granted participation in following years.

3. **Applicants who are accepted for participation in the scheme will be required to confirm, in writing, the number of weeks they wish to avail of without pay. It will not be possible for a participant to withdraw or alter an application for the scheme once that undertaking has been given.** This commitment is essential to allow time for putting into place the special salary arrangements and the appointment of replacements. (See Paragraph 9)

Eligibility to apply for participation in the Unpaid Leave Scheme

4. To be eligible to apply for participation in the Unpaid Leave scheme, a person must:
 - (a) Be serving in Institute of Technology Sector with at least one year's continuous satisfactory service.
5. Participation in the Unpaid Leave scheme may be terminated at any time during the period of special leave if a person engages in any other employment whilst on such leave.

During the period of special leave, a staff member will remain subject to the conditions and regulations governing his/her employment in the Institute with the exception of the sick leave scheme.

Annual leave and public holidays

6. The period of special unpaid leave provided for under the Unpaid Leave scheme is in addition to normal annual leave. Subject to the provisions of the Organisation of Working Time Act 1997, the annual leave allocation of a participant may be reduced to take account of the period of special leave. See Appendix 1.
7. The entitlement of participants to the benefit of any public holidays falling within the period of the special leave will also be as determined by the provisions of the Organisation of Working Time Act 1997.
8. Individuals participating in the Scheme which is scheduled to operate in 2019 may be permitted to avail of up to 4 weeks annual leave either prior to **or** immediately following the period of Unpaid Leave.

Arrangements for the payment of salary

9. As stated in paragraph 1, the period of Unpaid leave is **unpaid special leave**. Applicants who participate in the scheme can apply to have their annual salary reduced as follows:
 - (a) Special leave without pay for the required unpaid period (i.e. no pay for the period).
 - (b) Reducing the annual salary by the number of weeks and spreading it over the full year.

If a person availing of these special administrative provisions avails of other unpaid leave during the twelve month period then the pro rata rate of salary will be adjusted accordingly. (i.e. someone taking 4 weeks leave will be paid 48 weeks salary over 52 week period), **Furthermore each participant is required to give an undertaking that any overpayment that may arise from their participation in the scheme would be repaid to the Institute at the earliest convenience but not later than the last day of the tax year, 31st December, unless otherwise agreed.**

Staff should note that, under PRSI rules a person availing of Unpaid Leave is not earning during the period of leave and is not therefore making PRSI contributions.

10. It is the responsibility of the person availing of the Unpaid Leave scheme to make arrangements to ensure that any voluntary contributions (e.g. health insurance, savings plans, etc.) normally deducted from salary continue to be paid.

Reckonable service

11. The period of special leave **will reckon** for the purposes of increments and seniority. The period of special leave **will not reckon** for pension purposes.

Sick leave

12. The provisions of the sick leave scheme will not apply to participants during the period of special leave.

Promotion

13. Participants in the scheme will continue to be eligible for promotion while on special leave, subject to eligibility criteria. An offer of promotion made to a participant during the period of special leave may, in certain circumstances, be conditional on the person resuming duty in the higher grade with immediate effect.

Filling of ensuing vacancies

14. *There will be no provision to backfill any staff availing of the scheme.*

Social Welfare – Family Income Supplement

15. A person in receipt of Family Income Supplement who intends to avail of Unpaid leave is advised to contact the Department of Social Protection to clarify his/her entitlements.

As participation in this scheme may affect a person's social welfare contribution record i.e. less than 52 contributions in a year, staff are strongly advised to check with the Department of Social Protection prior to participating in the scheme to check the up-to-date position.

Application process

16. Applications for participation in the Unpaid Leave scheme in any year should be submitted through your line manager to reach Human Resources Department no later than **1 pm** on the **07th December of the relevant year.**

Persons applying for the scheme must apply each year and it will be a matter for each Institute to decide, where numbers are limited, to give priority to staff that did not previously avail of this leave.

The Institute reserves the right to refuse some or all of the applications to participate in the scheme.

17. **Queries**

Any queries by individual staff members should be addressed to the Institute's Human Resources Department (hr@ait.ie)



Institutes of Technology

Unpaid Leave Scheme

Appendix 1

Calculation of Annual Leave for Participants of the Unpaid Leave Scheme

- 1) The Organisation of Working Time Act, 1997 provides that an employee who works at least 1365 hours in a leave year is entitled to and an annual leave allowance of four working weeks (twenty days).
- 2) **Annual leave-Full time staff** – Staff serving in a full time capacity will, **in the absence of any other additional unpaid leave**, be entitled to at least twenty days annual leave in addition to the period of Unpaid leave. However, there will be a reduction in the annual leave allowance, of those participating in the scheme that have an allowance in excess of twenty days, on a pro-rata basis, to reflect the period of special unpaid leave.

Annual Leave-Worksharing staff- Worksharing employees availing of the Unpaid Leave scheme will also have their annual leave entitlement calculated as per the provisions of the Organisation of Working Time Act (1997).

NB: For IOT staff working less than full-time, then annual leave should be calculated on the basis of actual hours worked.

The hours to be included in calculating holiday entitlement are as follows:

- All hours physically worked including overtime;
- All hours notionally worked e.g. 18 weeks maternity leave;
- All hours spent on annual leave

In calculating hours physically worked, time spent on lunch breaks is excluded.

- 3) **Example:** a person has an annual leave allowance of **26 days** and avails of the Unpaid leave as follows with no other special unpaid leave in the leave year:

8 Weeks	10 Weeks	13 Weeks
Annual Leave Reduction $8/52 \times 26 = 4$ days	Annual Leave Reduction $10/52 \times 26 = 5$ days	Annual Leave Reduction $13/52 \times 26 = 6.5$ days
Annual Leave Allowance = 22 days	Annual Leave Allowance = 21 days	Annual Leave Allowance =19.5 days. If a person has worked 1365 hours in the year, annual leave allowance is set at 20 days.
Annual Leave Allowance	Annual Leave Allowance	Annual Leave Allowance

22 days	21 days	20 days
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- 4) If a participant of the Unpaid leave scheme avails of further special unpaid leave during the leave year, the period of Unpaid leave will also be taken into consideration in calculating the revised annual leave allowance for the year.



**ATHLONE INSTITUTE OF TECHNOLOGY
APPLICATION FOR UNPAID LEAVE**

1. Employee Details:

Name: _____ Employee ID: _____ Department: _____
Please enter year _____

2. Term Required:

I wish to avail of Unpaid leave for the following period:
Commencing: _____ Ending: _____
(no. of weeks)

3. Pay Arrangement:

I wish Unpaid leave to be dealt with:
- on a no-pay basis, for the period of unpaid special leave.
Or
- by way of special arrangements whereby I will be paid pro-rata salary throughout the year commencing with the tax year 1st January ____*
**Please be advised that in the event that an employee has a period of unpaid leave, in addition, to the above, e.g. unpaid sick leave, this will require an adjustment to the original agreed deduction.*

4. Employee Declaration:

I understand that should my application be successful, that it will not be possible to withdraw or alter my application for the scheme once I have given an undertaking to participate. I am also aware that any overpayment, which may arise from my participation in the Scheme, will be repaid to the Institute not later than 31st December in the year the leave is taken.
I declare that all the information given in this application is true and complete.
Signed: _____ Date: _____

5. Recommendation:

I recommend this application for Unpaid Leave.
or
I do not recommend this application for Unpaid Leave.
If an application is not recommended please indicate the reason(s):

Signed: _____ Date: _____
HEAD OF DEPARTMENT/FUNCTION
Signed: _____ Date: _____
DEAN OF FACULTY

