



Circular Letter 0044/2022

To: The Managerial Authorities of Recognised Primary, Voluntary Secondary Schools in the Free Education Scheme

Revision of Working Hours in Recognised Primary, Voluntary Secondary Schools in the Free Education Scheme

Implementation of the Independent Hours Body Recommendations in relation to the Haddington Road Agreement Hours for certain employees in Recognised Primary, Voluntary Secondary Schools in the Free Education Scheme

The provisions in this Circular apply to certain employees in Recognised Primary, Voluntary Secondary Schools in the Free Education Scheme.

Please ensure this Circular is circulated to all schools and that its contents are brought to the attention of all relevant staff in your employment, including those on leave of absence.

All queries should initially be brought to the attention of the employer who may wish to consult with their representative organisation. Any further queries in relation to this Circular may be directed to the Department at the following e-mail address: esr@education.gov.ie

This Circular can be accessed on the Department's website at gov.ie.

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Principal Officer
External Staff Relations

23 June 2022

1. INTRODUCTION

1.1 I am directed by the Minister for Education to convey the following instructions to Recognised Primary, Voluntary Secondary Schools in the Free Education Scheme in relation to:

(a) A reduction in working hours

(b) Changes to flexible working arrangements (flexitime)

(c) Overtime

2 WORKING HOURS

2.1 Working hours for any grade will not be less than the level that applied prior to the HRA, in this regard a minimum floor of 35 hours per week will apply.

2.2 HRA hours implemented in 2013 will be restored in all relevant employments with effect from July 1 2022.

2.3 Annual leave will not be impacted by the restoration of hours.

2.4 Where an employee availed of the option under the terms previous of public service agreements to remain on pre-HRA working hours, they may elect to remain on those hours or move to the 35 hour net working week with an appropriate pay adjustment in both cases.

2.5 There is no adjustment to overtime divisors.

3 FLEXIBLE WORKING ARRANGEMENTS (FLEXITIME)

3.1 Employers have the responsibility and the right to actively manage flexible working arrangements (flexitime) in their organisations to ensure that Offices can meet their business needs across the full working day. Flexitime is only possible as long as it supports and enhances the efficient operation of Departments/Offices. In particular, all areas must always be appropriately staffed during the working day, including lunch breaks; all arrangements must ensure that this is consistently the case.

3.2 No change is proposed to the existing terms of the Flexitime Agreements.

4 OVERTIME

4.1 The arrangements for overtime payments in Recognised Primary, Voluntary Secondary Schools in the Free Education Scheme reflect the revisions agreed in Building Momentum – A New Public Service Pay Agreement which came into effect on 1 July 2021.

4.2 This Circular is further intended to remind employers of their obligations under the Organisation of Working Time Act, 1997 insofar as the Act might have an impact on extra attendance.

- 4.3 Overtime is the payment given to an officer for extra attendance outside of the standard working week. It is only payable after the completion of the required working hours for the grade in question. In addition, schools should be satisfied that the amount or nature of the work to be done makes overtime unavoidable. Attendance on Saturdays, Sundays and Public Holidays should be kept to a minimum. Every effort should be made to avoid a situation where staff attend for very short periods only.
- 4.4 With effect from 1 July 2021, any overtime and premia payments impacted by sections 2.12 and 2.17 of the Haddington Road Agreement, will be fully restored to what pertained prior to July 2013.
- 4.5 Schools are reminded that any costs arising from the unwinding of the overtime rate measures will be managed from within existing funding.