



Circular Title: Annual Leave in the Civil Service

I am directed by the Minister for Public Expenditure, National Development Plan Delivery and Reform to say that the following will apply in relation to annual leave in the Civil Service with effect from 1 January 2024.

Circular Number: 08/2023

Purpose: The purpose of this Circular is to consolidate revisions to annual leave allowances which were introduced subsequent to the issue of Circular 27/2003. Additionally, this Circular sets out the revised provisions in relation to the carryover of annual leave and also outlines the entitlements in relation to the accrual of annual leave while on sick leave.

Circular Application: All Civil Servants

Relevant Legislation:

- Organisation of Working Time Act 1997 (as amended).
- Section 86(1) of the Workplace Relations Act 2015.

Status: This Circular revokes Circular 27/2003 – *Annual Leave*, Letter to Personnel Officers 17th November 2006, Circular Letter 06/2011 to Personnel Officers: *Annual Leave and Privilege Days*, Letter to Personnel Officers 2012: *Revised Annual leave Arrangements*, Letter to Personnel Officers 2016: *Annual Leave and the Amendment of the Organisation of Working Time Act 2015* and Letter to Personnel Officer 2018 – *Increases for Grades analogous to EO and CO in the Civil Service, Service Officers, Service Attendants and Cleaners*

Responsibility for Implementation: All Civil Servants

Issue Date: 20 June 2023

Effective Date: 1 January 2024

Mise le meas,

Colin Menton
Deputy Secretary
Public Service Resourcing
20 June 2023
To: All Departments

Part 1: Purpose & Principles

1.1 Purpose

The purpose of this Circular is to consolidate revisions to annual leave allowances which were introduced subsequent to the issue of Circular 27/2003. Additionally, this Circular sets out the revised provisions in relation to the carryover of annual leave and also outlines the entitlements in relation to the accrual of annual leave while on sick leave.

The Organisation of Working Time Act 1997 ("OWTA 1997") which **sets out statutory rights for employees in respect of rest, maximum working time and holidays** underpins this circular. The main provisions of this circular are derived from this Act.

1.2 Principles of the Policy

The Civil Service is committed to providing efficient and well-managed services to the public and is also committed to supporting the health and wellbeing of its staff. In order to achieve this, it is necessary to strike a satisfactory balance between the business needs of the employer and the provision of sufficient opportunities for rest and recreation for its staff. Queries from individual officers in relation to the principles of this policy should be directed to their local HR team.

Part 2: Entitlement and Responsibilities

2.1 Statutory Annual Leave Entitlement

"Statutory annual leave" is the expression used in this Circular to describe the legal minimum amount of paid annual leave to which all employees are entitled from their employer under the OWTA 1997. All full-time employees are entitled to a statutory minimum annual leave entitlement of four weeks' each year, with pro-rata entitlements for those who work reduced workshare patterns.

2.2 Non-statutory Annual Leave Entitlement

"Non-statutory annual leave" is the expression used in this Circular to describe the amount of leave to which an officer is entitled (under the terms of their employment in the Civil Service) that is in excess of their statutory annual leave entitlement. In the Civil Service, this will vary depending on grade, length of service, and the amount of time worked during the year.

2.3 Officers' Responsibilities

All officers must familiarise themselves with this policy and follow the relevant procedures for applying for leave.

In general, annual leave must be agreed with the line manager in advance and application made and approved via the appropriate process. In exceptional circumstances, where this has not been possible, leave may be applied for on the system retrospectively, if agreed with the line manager.

Officers are required to take their statutory annual leave entitlement during the relevant leave year and, subject to operational requirements, management will seek to accommodate officer preferences as far as possible in terms of the timing of this leave.

In exceptional circumstances, where it has not been possible to avail of the entire statutory annual leave entitlement during the year due to business requirements, a request may be raised towards the end of the annual leave year for this statutory leave to be carried over and used within the first six months of the subsequent leave year (in line with the OWTA 1997). Such requests require line manager approval.

2.4 Line Managers' Responsibilities

All line managers should have ongoing discussions with officers throughout the year in relation to annual leave and ensure that officers are accommodated to use their leave allowance within the required time period. The timing of annual leave should form part of regular discussions between line managers and officers.

Where necessary, a line manager/HR may require an officer to discuss and agree on a plan for taking their leave allowance, subject to the organisation's business needs.

It may be necessary for a line manager to deny an application for annual leave due to the business needs of the organisation. However, they should also ensure that they facilitate officers to avail of annual leave in the year in which it is accrued to ensure that sufficient opportunities for rest and recreation are available to the officer.

Line managers will continue to decide when annual leave may be taken having regard to the demands of the work.

2.5 Timing of Annual Leave

Should employers wish to close the premises or enforce the taking of annual leave on specific dates, they must ensure that Staff Side representatives and / or officers are consulted at least one month before the annual leave is due to commence. **Note:** This provision is only intended to cover situations whereby a Department is specifically selecting the period in which annual leave must be taken (e.g. closing offices of a Department on a particular day).

Under the OMTA 1997, an employee is entitled to an unbroken period of two weeks annual leave each year, (which may include one or more public holidays), where the employee has worked for eight months during that leave year. The Act also allows this particular provision to be varied by agreement between the employer and employees.

Accordingly, where the officer indicates that they wish to take two weeks' annual leave after eight months work in the leave year, they must be facilitated with two consecutive weeks' leave (those two weeks to be taken at a time agreeable to the Department). However, if the officer does not wish to take an unbroken period of two weeks annual leave after eight months' work, the Department should, subject to (i) the exigencies of the work situation, and (ii) the timeframe for taking the statutory annual leave entitlement, make every effort to facilitate the officer's alternative proposals for the taking of annual leave.

Part 3: Carryover of Annual Leave

3.1 Carryover of Non-Statutory Annual Leave

Any non-statutory annual leave accrued during a leave year may be carried forward into the following year in accordance with the provisions of this circular.

Any non-statutory annual leave carried over must be used in the year into which it has been carried; if not, it will be forfeited. As per section 3.3 below ("Sequencing"), any non-statutory annual leave carried over from the previous year will automatically be used before the leave accrued in the current year. This will facilitate a system whereby any leave carried over at the end of one year, must be used in the following annual leave year.

This same process can repeat each year, creating a continuous cycle in which there is always the facility for any non-statutory annual leave that is accrued in a given year to be carried over once, to be used the following year. This is the only leave category that will automatically carry over at the end of each year if not availed of.

3.2 Carryover of Statutory Annual Leave

In line with the OMTA 1997, an officer is required to avail of all of their statutory annual leave within the leave year in which it accrues.

If in exceptional circumstances, a case arises whereby the officer cannot take all of their statutory annual leave within the leave year due to business reasons, then the employer can allow the officer to carry over their statutory annual leave for it to be taken within the first six months of the following leave year. This leave, if not used within the first 6 months, will automatically be forfeited. It is expected that

such occurrences should be rare, as regular discussions between line managers and officers should facilitate the taking of annual leave throughout the year in line with business needs.

In these exceptional circumstances, where it has not been possible to avail of all statutory annual leave accrued during the leave year, a request will need to be submitted by the officer towards the end of the annual leave year for statutory annual leave to be carried over, which will require line manager approval.

As per the section 3.3 below ("Sequencing") any statutory annual leave carried over from the previous year will be the first category of annual leave that gets used.

3.3 Sequencing: Order in which Annual Leave will be taken

In a given annual leave year, the following is the order in which the various categories of annual leave will be used.

1. Statutory annual leave entitlement which has been carried over due to exceptional circumstances (see above section), as agreed between officer and line manager. **(Note: This has to be used within first six months of the year as per the OWTA 1997).**
2. Any non-statutory annual leave which has been carried over from the previous year, as allowed under this circular.
3. Statutory annual leave entitlement accrued during the current leave year.
4. Any non-statutory annual leave which has been accrued during the current leave year.

Part 4: Annual Leave Allowances

4.1 Annual Leave Allowances for Common Grades

The annual leave allowances for general service grades, and certain grades common to two or more Departments, are set out in Appendix 1.

4.2 Annual Leave Allowances for Other Grades – Salary Banding System

A grade which is not listed in Appendix 1, but has a pay scale that is identical to a grade listed in **Appendix 1**, will have an identical annual leave allowance to the grade listed in **Appendix 1**. *(As a general rule the annual leave allowances of non-industrial Civil Service grades are determined by reference to an agreed salary banding system).*

All other annual leave allowances are determined by reference to the **Salary Banding System (see tables at Appendix 2)**. The Salary Banding System should be used to determine the annual leave allowance of any grade which is not listed in Appendix 1 and which does not have a pay scale identical to a grade listed in Appendix 1.

4.3 Assignment to Higher Duties on an Allowance Basis

If an officer is assigned on an allowance basis to act on higher duties, the leave allowance for the higher grade replaces the person's leave allowance for the period of assignment.

If an officer is assigned a higher duties allowance, mid-way through the leave year, their leave allowance should be calculated based on the period of the year remaining (any fraction being rounded up).

Part 5: Calculation of Annual Leave Entitlement

5.1 Calculation of Annual Leave Entitlement

The arrangements for the calculation of statutory annual leave entitlement are set out in section 19 of the OWTA 1997.

All officers who have been recruited on or after 14 December 2011 are subject to a maximum annual leave allowance, inclusive of both statutory and non-statutory annual leave entitlements, depending on their grade, of 30 days *(subject to the terms and conditions of the relevant recruitment competition)*.

The annual leave allowances for full-time officers vary according to grade and are either equal to or greater than the statutory annual leave entitlement.

Annual leave calculations are based on net hours worked per annum.

In calculating an officer's entitlement to annual leave, employers should:

Include:

- All hours worked including extra attendance,
- Rostered time spent on any form of paid leave e.g. Maternity/Paternity/Adoptive leave/Health and Safety Leave
- Holidays and public holidays taken during the calculation period.
- Additional unpaid Maternity and Adoptive leave
- Parental leave
- Parent's leave
- The first 13 weeks of Carer's Leave.
- Periods of sick leave at full and half pay (**See Part 6 for rules re unpaid Sick Leave**), and

Exclude:

- Periods of unpaid non-statutory leave eg: Domestic Leave, Career Break, Shorter Working Year
- Time off taken in lieu of extra attendance
- Time off taken in lieu of flexi-time worked
- Periods of unpaid unauthorised absences

Examples of calculations can be found on the website of the National Shared Services Office (NSSO).

5.2 Calculation of Annual Leave Entitlement for Work-sharers and Other Officers Who Work Less Than 1,365 hours per year

Statutory annual leave of an officer should be calculated by one of the following methods, whichever is the more favourable to the officer:

- A. 4 working weeks in a leave year in which the employee works at least 1,365 hours (unless it is a leave year in which the officer changes employment);
- B. One third of a working week per calendar month that the employee works at least 117 hours;
- C. 8% of the hours an officer works in a leave year (but subject to a maximum of 4 working weeks in the leave year).
- D. Pro-rata the annual leave entitlement of an equivalent full time officer in that grade.

Method (c) above requires that annual leave entitlement be calculated in hours rather than days. However, the calculation under method (d) of the pro-rata annual leave entitlement of an officer whose attendance pattern is based on an agreed reduced fixed daily attendance regime must also be expressed in hours. For an officer working a pattern involving a standard day of 7.00 hours, method (d) should be calculated in days. Where the exact leave calculated includes part of a day, the fraction (if it not an exact one half) should be rounded up to the next half or whole day, as appropriate. Accordingly an officer whose exact entitlement includes a fraction from .001 to .499 of a day should have that fraction rounded up to a ½ day, while an officer whose exact entitlement includes a fraction from .501 to .999 should have that fraction rounded up to 1 whole day.

Note: In the case of a leap year, the additional day/hours should be accounted for when calculating the pro-rata annual leave entitlement for officers in order to have a proper comparison with full time officers who have this day automatically accounted for in their calculation of annual leave entitlement. This will result in the work days being either 262 for a leap year or 261 for a non-leap year.

5.3 Calculation of Annual Leave Entitlement for Temporary Officers

Temporary officers should receive the same annual leave allowance as comparable permanent officers who work the same number of hours. In the event that a temporary officer is not employed for the duration of a leave year, this entitlement will be pro-rated based on time worked during the year.

Annual leave should not normally be availed of by temporary officers during the first three months of service (although leave is accrued during that period), except in circumstances where an officer is newly appointed within three months of the end of a leave year. In such circumstances, the officer may be permitted to take, within that leave year, such leave that has accrued.

Part 6: Annual Leave and Sick Leave

6.1 Annual Leave and Sick Leave

Annual leave cannot be taken in place of sick leave.

An officer may however, have annual leave restored, if sickness occurs whilst on annual leave where a medical certificate is provided. Payment in lieu is not an option and self-certified leave cannot be availed of. The period of sickness should be recorded as sick leave and not as annual leave. Remuneration in this instance should be at the appropriate rate in line with sick leave regulations i.e. Full Rate, Half Rate, Temporary Rehabilitation Rate or Nil Rate.

Annual leave can be cancelled / rescheduled in place of certified sick leave subject to the rules set out in the sick leave circular, including those around notification to one's line manager.

Where permission is sought to take annual leave immediately following a sick absence, Departments may, at their discretion, require that the sick absence is concluded accordingly on the system, before agreeing to the granting of such leave.

Annual leave may, of course, be granted immediately following periods of leave such as maternity leave, adoptive, parental leave, domestic leave, study leave, etc...

6.2 Accrual of Annual Leave while on certified Sick Leave on Full / Half Pay

Annual leave (including both statutory annual leave and non-statutory annual leave) accrues as normal during periods of certified sick leave on full and half pay. Officers on sick leave at full or half rate of pay will not have their annual leave recalculated.

Annual leave does not accrue while on periods of Unpaid Unauthorised Absence (UUA)

6.3 Accrual of Statutory Annual Leave while on Temporary Rehabilitation Rate (TRR) / Nil Rate

Only statutory annual leave accrues when an officer is on TRR / Nil rate due to certified sick leave. The statutory leave accrued in this manner can be carried over for a maximum period of 15 months after the end of the statutory leave year in which it is accrued.

If an officer does not use leave before the end of that 15-month period, the leave will be forfeited. There is no entitlement to payment for the forfeited leave. An officer returning to work after a period of prolonged sick leave should be informed that annual leave accrued during that period of sick leave will be forfeited if not taken within that 15-month period.

If an officer leaves their job within a period of 15 months from the end of the leave year in which sick leave accrued (but could not be taken because of certified sick leave), they are entitled to payment instead of any accrued leave that was not taken due to certified illness.

Officers on certified long term sick leave will have their annual leave entitlements recalculated to account for any time spent on the following types of sick leave absence at the following rate:

- Temporary Rehabilitation Remuneration (TRR): leave is calculated at a statutory rate of 20 days (pro rata for those working on reduced work patterns).
- Nil Rate of Pay: Leave calculated at a statutory rate of 20 days (pro rata for those working on reduced work patterns).

Any non-statutory annual leave accumulated before transitioning on to TRR / Nil rate carries over until the officers return and it should be taken in line with the arrangements set out in **Part 3: Carryover of Annual Leave**.

An officer on TRR / Nil rate of pay due to certified sick leave for a full leave year has their leave entitlement reduced to 20 days for that leave year (or pro-rata of 20 days for those who work reduced work share patterns).

Where an officer is on TRR / Nil rate of pay for a part of the year their leave is recalculated to account for the period of time spent on pay affected sick leave. This will result in a reduced annual leave entitlement for the year in which the pay-affected sick leave commences or ends.

Annual leave must be recalculated for sick leave upon an officer's return to work.

Part 7: Annual leave and Resignation / Retirement

7.1 Resignation / Retirement

It is essential that HR units and the NSSO are made aware in good time of any officer intending to resign or retire, so as to facilitate an assessment of the impact of the resignation / retirement on the business area. For applicable notice periods, see **Circular 10/2012 - Resignation and Retirement Notice Periods**.

Every effort should be made to ensure that an officer's annual leave entitlement (*including carryover*) is exhausted prior to their resignation / retirement. If necessary, an officer can take leave immediately before their retirement date or, if necessary, the last day of attendance can be put forward to take into account any untaken leave.

On the last day of service, in the event that an officer has availed of leave in excess of the amount accrued to that date, the amount paid in respect of the excess leave should be recovered in line with the provisions of **Circular 07/2018 - Recovery of Salary, Allowances, and Expenses Overpayments made to Staff Members/Former Staff Members/Pensioners**.

7.2 Death in Service

In the case of an officer who ceases to be employed by reason of their death, a payment will be made to the deceased officer's personal representative in lieu of any accrued (un-forfeited) but untaken annual leave. If the officer had taken more leave than they had accrued, the balance will be written off and will not be recovered.

7.3 Payment in Lieu of Annual Leave

Under the OMTA 1997, it is illegal for an employer to pay an allowance in lieu of the statutory annual leave entitlement unless the employment relationship ends and the employee has unused annual leave days remaining on the date of cessation of the employee's employment. However, the following principles apply in the Civil Service.

- Every effort should be made to ensure that officers are facilitated in taking any annual leave entitlement (including carryover leave) in advance of their resignation / retirement date.
- Annual leave entitlement should be taken as part of the overall notice period, where possible.
- Payment in lieu of annual leave should only be allowed in very exceptional cases, where it has not been possible to avail of the leave within the notice period.
- An officer who is availing of extended unpaid leave or special leave (*eg: career break*) is not entitled to payment for untaken annual leave accrued at the date the period of leave commences. The leave should either be exhausted in advance of the period of the extended leave or placed on hold until the resumption of duty.

- In the event that an officer does not resume duty after special leave (due to resignation, retirement or death) then they (or the officer's personal representative in the event of death) should be paid for the untaken annual leave remaining at that stage.

Part 8: Anticipation of annual leave

An officer whose annual allowance for the current leave year has been exhausted and who is confronted with an unforeseen event, may be allowed to anticipate up to two days of the allowance for the next leave year.

The Head of the Department/HR manager must be satisfied that the officer will continue to serve for a period of time sufficient to earn the number of days granted. If the officer resigns or is discharged before serving for the required period, salary should be recovered in respect of the unaccrued leave that was taken – except as provided for in section 7.2.

This facility may not be granted if the Head of the Department/HR Manager concerned has reason to believe that the officer will not give sufficient future service to cover the annual leave that they wish to anticipate.

This provision will normally apply to the last three months of the leave year. However, HR have discretion to allow it earlier, subject to the conditions outlined above.

Part 9: Reckoning of Prior Service in the Civil Service on Appointment or Promotion to a New Post

Serving officers appointed or promoted to a new post may retain their existing annual leave allowance if it is greater than the allowance which would otherwise apply. This is subject, however, to the maximum allowance applicable to the new post not being exceeded.

For example, an officer, with an annual leave allowance of 25 days rising to 29 days after five years and 30 after 10 years' service promoted or appointed to a grade with an annual leave allowance of 27 days rising to 30 days after five years' service, may:-

(1) where the officer has more than five years, but less than 10 years' service in the lower grade, retain 29 days annual leave on appointment to the higher grade, and

(1a) reckon any period of service in either grade where the officer had an annual leave allowance of 29 days as qualifying service for an annual leave allowance of 30 days in the higher grade.

(2) where the officer is promoted, after (say) four years' service in the lower grade, they should be granted 27 days on the date of appointment to the higher grade, rising to 29 days on the date they would have attained five years' service in the lower grade had they not been appointed to the higher grade and 30 after days on attaining five years' service in the higher grade.

Periods of special leave without pay of 6 months or more which do not reckon for the purposes of accruing annual leave will not reckon as service for additional annual leave for the purposes of the arrangements set out above.

Part 10: Reckoning of Prior Service in the Civil Service Exceptions

Where the annual leave allowance of a grade is stated to increase after a specified number of years' service, the reference to "service" means all service in the particular grade. The service in the grade does not need to be continuous. However, a person appointed or promoted to such a grade will be permitted to reckon as service, for the purpose of qualifying for the increased allowance, any period of service which attracted an entitlement which is either equal to or greater than the initial annual leave entitlement of the new grade.

More favourable arrangements apply where an officer is appointed or promoted to the grade of Executive Officer (*whose annual leave allowance is 23 days rising to 24 days after five years' service, 25 days after ten years' service, 26 after 12 years' service and 27 after 14 years' service*). Where appointments or promotions to Executive Officer are made, any period of service in the Civil Service as a Clerical Officer (or equivalent) will reckon as service in the higher grade for the purpose of qualifying for the increased annual leave allowances available after five years' service, ten years' service, twelve years' service and fourteen years' service in the higher grade.

For example: A Clerical Officer who is appointed to the grade of Executive Officer, will have all service taken into account on appointment. Therefore, a Clerical Officer with 11 years of service, on appointment to Executive Officer, will receive 25 days of annual leave per year, with one year towards their next service increase for 12 years' of service.

Grade	Hire	5 years	10 years	12 years	14 years
Clerical Officer	22	23	24	25	26
Executive Officer	23	24	25	26	27

More favourable arrangements also apply where persons are appointed or promoted to the grades of Administrative Officer or Third Secretary (*whose annual leave allowance is 25 days rising to 29 days after five years' service and 30 days after ten years' service*). Where appointments or promotions to these grades are made, any period of service in the Civil Service which attracted an annual leave allowance of not less than the minimum annual leave allowance for the Executive Officer grade (currently 23 days) will reckon as service for the purpose of qualifying for the increased annual leave allowances available after five years' service, ten years' service in the higher grade.

For example: A Clerical Officer, on appointment to Administrative Officer, will have all service from 5 years onward taken in to account on appointment. Therefore, a Clerical Officer with 11 years of service will receive 29 days of annual leave per year, with one year towards their next service increase for 10 years' of service.

Grade	Hire	5 years	10 years	12 years	14 years
Clerical Officer	22	23	24	25	26
Administrative Officer	25	29	30		

Part 11: Reckoning of Prior Service in the Public Service

Departments/Offices have delegated sanction to determine the annual leave allowances of relevant new recruits who have prior service in the Public Service, subject to the conditions set out below:

Where an officer has previous service in the Public Service, that service may be considered as reckonable for the purposes of receiving an increased annual leave allowance in the Civil Service subject to the following conditions:

(i) the recruiting Department/Office should satisfy itself that analogous conditions exist

(ii) the annual leave allowance in the Civil Service which is produced, should not be greater than it would have been if the service given before entering the Civil Service had been given in an equivalent or analogous Civil Service grade; and

(iii) periods on career break (*or other forms of unpaid leave that are not reckoned for the purposes of accruing annual leave in the Civil Service*) taken before entry to the Civil Service cannot be reckoned for annual leave purposes in the Civil Service.

The officer's actual annual leave allowance prior to entry to the Civil Service **is not relevant**. The salary scale(s) payable to the officer prior to entry to the Civil Service is used to determine the correct annual leave allowance for the officer on appointment to the Civil Service.

Once the correct scale(s) are determined, they should be examined by reference to the salary banding arrangements set out above in section 4.2, to determine what annual leave allowance the officer would have had if the relevant prior Public Service had been given in an equivalent or analogous Civil Service grade. Where the officer was in one grade for the period of service under review, it is only necessary to examine the officer's final salary prior to entry to the Civil Service. However, where they changed grades during the period under review, it will be necessary to compare the final salary the officer had in each grade by reference to the relevant Civil Service salaries extant at the time the officer changed grades.

Appendix 1: Annual Leave Entitlements

Table 1

Annual leave applying to all officers appointed / promoted to their current grade <u>ON OR AFTER</u> 14 December 2011					
General Service Grades	Hire	5 years	10 years	12 Years	14 years
Secretary General	30				
Deputy Secretary	30				
Assistant Secretary	30				
Principal Officer (Standard)	30				
Assistant Principal Officer (Standard)	30				
Higher Executive Officer	29	30			
Administrative Officer	25	29	30		
Executive Officer	23	24	25	26	27
Clerical Officer	22	23	24	25	26
Service Officer	22	23	24	25	26
Service Attendant	22	23	24	25	26
Cleaner who works a minimum of 30 hours a week	22	23	24	25	26
Cleaner who work less than 30 hours per week but not less than 18 hours per week	A minimum of 15 days and not more than 22 days depending on hours actually worked				
Certain Grades common to two or more Departments	Hire	5 years	10 years	12 Years	14 years
Principal (higher scale)	30				
Assistant Principal (higher scale)	30				
Engineer Grade I (Civil)	30				
Professional Accountant Grade I	30				
Engineer, Grade II (Civil)	27	30			
Professional Accountant Grade II	27	30			
Engineer, Grade III (Civil)	25	29	30		
Senior Legal Clerk	23	24	25	26	27
Legal Clerk	23	24	25	26	27
Senior Engineering Draughtsperson	23	24	25	26	27
Examiner-in-Charge	23	24	25	26	27
Examiner of Maps	22	23	24	25	26
Architectural Assistant Grade II	22	23	24	25	26
Engineering Draughtsperson	22	23	24	25	26
Visually Impaired Telephonist	22	23	24	25	26
Law Clerk	22	23	24	25	26
Mapping Draughtsman	22	23	24	25	26
Clerical Officer (Date Entry)	22	23	24	25	26
Laboratory Attendant	22	23	24	25	26

Table 2

Annual leave allowances applying to all officers appointed to their current grade <u>BEFORE</u> 14 December 2011					
General Service Grades	Hire	5 years	10 years	12 Years	14 years
Secretary General	32				
Deputy Secretary	32				
Assistant Secretary	32				
Principal Officer (Standard)	32				
Assistant Principal Officer (Standard)	32				
Higher Executive Officer	29	30	31		
Administrative Officer	25	29	31		
Executive Officer	23	24	25	26	27
Clerical Officer	22	23	24	25	26
Service Officer	22	23	24	25	26
Service Attendant	22	23	24	25	26
Cleaner who works a minimum of 30 hours a week	22	23	24	25	26
Cleaner who work less than 30 hours per week but not less than 18 hours per week	A minimum of 15 days and not more than 22 days depending on hours actually worked.				
Certain Grades common to two or more Departments	Hire	5 years	10 years	12 Years	14 years
Principal (higher scale)	32				
Assistant Principal (higher scale)	32				
Engineer Grade I (Civil)	32				
Professional Accountant Grade I	32				
Engineer, Grade II (Civil)	27	31	32		
Professional Accountant Grade II	27	31	32		
Engineer, Grade III (Civil)	25	29	31		
Senior Legal Clerk	23	24	25	26	27
Legal Clerk	23	24	25	26	27
Senior Engineering Draughtsperson	23	24	25	26	27
Examiner-in-Charge	23	24	25	26	27
Examiner of Maps	22	23	24	25	26
Architectural Assistant Grade II	22	23	24	25	26
Engineering Draughtsperson	22	23	24	25	26
Visually Impaired Telephonist	22	23	24	25	26
Law Clerk	22	23	24	25	26
Mapping Draughtsman	22	23	24	25	26
Clerical Officer (Date Entry)	22	23	24	25	26
Laboratory Attendant	22	23	24	25	26

Appendix 2: Salary Banding System

To establish the applicable leave allowance, you must first populate the salary banding table with the relevant, current pay points. In general, the standard salary scale for each grade is used to determine the correct annual leave allowance for a particular grade. *The salary banding table must be populated at the time of calculation as these figures may change periodically in line with pay increases, ie: as a result of pay agreements.* **Note:** Refer to the following website to obtain the most up to date pay scale figures at the time of calculation <https://civilservicepayscales.per.gov.ie/>.

The Salary Banding System provides a different result depending on whether the officer;

- was first appointed to the Civil Service on or after 14 December 2011 (Option A in Table 1 below) or
- was an existing serving officer in the Civil Service prior to 14 December 2011 and was promoted/appointed to a different post on or after 14 December 2011 (Option B in Table 1 below) or
- was an existing officers appointed to their current grade prior to 14 December 2011 (Table 2 below).

Once the salary banding table has been populated, the maximum point (***not including any Long Service Increments***) of the relevant standard pay scale is plotted on the Salary Banding table to establish which band applies, ensuring to refer to the relevant column for the correct leave entitlement ie: appointed on or after 14 December 2011 or an existing officer who has been promoted/appointed.

Please Note: *The Staff Officer grade has been amalgamated with the Executive Officer grade, however, the Staff Officer scale will continue to be adjusted in line with relevant pay agreements and remains the appropriate scale of reference for the purposes of the salary banding system.*

To simplify this process, please be advised that local HR can obtain an up to date Salary Banding Calculator on the National Shared Services Office website.

Table 1: Salary Banding System for determining annual leave allowances for officers appointed / promoted on or after 14 December 2011.

			Option A	Option B
Band	Salary Range (min)	Salary Range (max)	Civil Servant first appointed on or after 14 December 2011	Civil Servant who was already serving before 14 December 2011 who was promoted or appointed to a new post after that date.
1	0	Up to €1 below Staff Officer max.	22, rising to 23 after 5 years' service, 24 after 10 years' service, 25 after 12 years' service and 26 after 14 years' service in the grade.	23, rising to 24 after 5 years' service, 25 after 10 years' service, 26 after 14 years' service in the grade.
2	Staff Officer Max	€1 below 4th point of the HEO (Standard) Scale	23, rising to 24 after 5 years' service, 25 after 10 years' service, 26 after 12 years' service and 27 after 14 years' service in the grade.	24, rising to 25 after 5 years' service, 26 after 10 years' service and 27 after 14 years' service in the grade.
3	4th point of the HEO (Standard) Scale	€1 below the HEO (Standard) Scale Max	23, rising to 27 after 5 years' service and to 29 after 10 years' service in the grade.	27, rising to 29 after 5 years' service in the grade.
4	HEO (Standard) Scale Max	€1 below the Assistant Principal (Standard) Scale Max	25, rising to 29 after 5 years' service and to 30 after 10 years' service in the grade.	29, rising to 30 after 5 years' service in the grade.
5	Assistant Principal (Standard) Scale Max	Principal Higher Scale Max	27, rising to 30 after 5 years' service in the grade.	30
6	Above Principal (Higher) Scale Max		29, rising to 30 after 5 years' service in the grade.	30

Table 2: Salary banding system for determining annual leave service increases for existing officers appointed to their current grade prior to 14 December 2011.

Band	Salary Range (min)	Salary Range (max)	Existing Civil Servant prior to 14 December 2011
1	0	Up to €1 below Staff Officer max.	22, rising to 23 after 5 years' service, 24 after 10 years' service, 25 after 12 years' service and 26 after 14 years' service in the grade.
2	Staff Officer Max	€1 below 4th point of the HEO (Standard) Scale	23, rising to 24 after 5 years' service, 25 after 10 years' service, 26 after 12 years' service and 27 after 14 years' service in the grade.
3	4th point of the HEO (Standard) Scale	€1 below the HEO (Standard) Scale Max	23, rising to 27 after 5 years' service and to 29 after 10 years' service in the grade.
4	HEO (Standard) Scale Max	€1 below the Assistant Principal (Standard) Scale Max	25, rising to 29 after 5 years' service and to 31 after 10 years' service.
5	Assistant Principal (Standard) Scale Max	Principal Higher Scale Max	27, rising to 31 after 5 years' service and 32 after 10 years' service in the grade.
6	Above Principal (Higher) Scale Max		29, rising to 32 after 5 years' service.

Notes

(i) These arrangements apply in cases where grades which are not dealt with in Appendix 1, or which are not identical to those set out in Appendix 1.

(ii) Current salary points should be plotted on the table above, ensuring to compare like with like, ie PPC salary points to be plotted on the table to establish the annual leave allowance for an individual on a PPC salary scale and Non PPC salary points to be used when identifying the annual leave allowance for an individual on a Non PPC salary scale.

(iii) In general the standard salary scale for each grade is used to determine the correct annual leave allowance for a particular grade.

(iv) The position of a particular grade in the above salary ranges is based on the "stable pay position" of the grade in question. This means that when claims for possible changes in the annual leave allowances of particular grades are being considered, known or likely future pay movements of the claimant grades and the marker grades are taken into account to ensure that the correct annual leave allowance is determined.

(v) In order to cope with the problem of grades which are only marginally below the next leave band, grades where the salary maximum, (i.e. exclusive of any long service increments on the scale), based on a stable pay position, is within 3.5% of the bottom on the next band for annual leave determination purposes, may be regarded as being within the higher annual leave band. Grades whose stable pay position is not within 3.5% of the minimum point of the next band would not be granted the level of leave appropriate to the higher band. It is intended that these arrangements will prevent anomalies such as a departmental grade attracting an annual leave allowance greater than that applicable to a general service grade with a higher maximum salary.

(vi) The foregoing arrangements are applied without prejudice to the treatment of exceptional or unusual cases on their merits.

Appendix 3: Carryover Rules

The following is an example of how the carryover rules under this circular operate:

- Officer A is a full time HEO with 29 days annual leave. They commence the first annual leave year in this new carry over model year with no carry over from the previous year. During the first annual leave year, Officer A uses only their 20 days' statutory annual leave (as required), with the remaining 9 non-statutory annual leave days available to carry over at the end of the year.
- The following year, Officer A will (if they remain in employment and in the same grade for the entire year) be entitled to 38 days' annual leave (including the 9 non-statutory days carried over from the previous year). They utilise 29 days over the course of the second year. The 9 days carried over from the previous year are used first in line with the sequencing model. The next category of leave to be used up is the 20 days statutory annual leave accrued in the current year. This means that the 9 non-statutory annual leave days accrued in the second year can be carried over into the following year.
- Therefore Officer A commences the following year once again with 38 days. This year they utilise 32 days annual leave. Once again the carryover will be the first leave utilised (9 days). The next 20 days to be used up are the 20 days' statutory annual leave for the year. Finally the last 3 days utilised are taken from the remaining balance of 9 non-statutory annual leave days accrued during this annual leave year. This means there are 6 non-statutory annual leave days accrued that year left over at the end of the year. **As they have been accrued this year and there is no longer a three year rule as per previous annual leave circular, Officer A can carry these 6 days into the following year once again and subsequently commence that year with 35 days (6 days carryover in addition to the 29 days accruable in that year).**
- In the fourth year of the new model Officer A uses 30 days; firstly the 6 non-statutory annual leave days carried over, secondly the 20 statutory annual leave days for that year and finally 4 days from the non-statutory annual leave days accrued in that year. This leaves 5 days' unused non-statutory to carry over into the following year.
- This cycle continues on a year by year basis **with no further concept of a three year cycle rule.**
- Any annual leave that is carried over into the following year will automatically be forfeited if not used in the year it carries into.

**An outline of this example is provided on the next page.*

Outline of example provided. (Assumes Officer A remains in employment and in the same grade for the entirety of each year).

Year 1

- 0 days carried over from previous year.
- 29 day allowance (20 days statutory accrued + 9 non-statutory accrued).
- Taken = 20 days (all statutory accrued).
- Remaining = 9 days (non-statutory accrued).

Year 2

- 9 days carried over (non-statutory) from previous year.
- 29 day allowance (20 days statutory accrued + 9 non-statutory accrued).
- 38 days total entitlement (29 day allowance plus 9 days carried over).
- Taken = 29 days (9 days non-statutory carried over + 20 days statutory accrued).
- Remaining = 9 days non-statutory accrued.

Year 3

- 9 days carried over (non-statutory) from previous year.
- 29 day allowance (20 days statutory accrued + 9 days non-statutory accrued).
- 38 days total entitlement (29 day allowance plus 9 days carried over).
- Taken = 32 days (9 days non-statutory carried over + 20 days statutory accrued + 3 days non-statutory accrued).
- Remaining = 6 days non-statutory accrued.

Year 4

- 6 days carried over (non-statutory) from previous year.
- 29 day allowance (20 days statutory accrued + 9 days non-statutory accrued).
- 35 days total entitlement (29 day allowance plus 6 days carried over).
- Taken: 30 days (6 non-statutory carried over + 20 days statutory accrued + 4 days non-statutory accrued).
- Remaining = 5 days non-statutory accrued.