



<b>POLICY:</b>	ANNUAL LEAVE POLICY
<b>FIRST DRAFT:</b>	ET 2016#02 (18 February 2016)
<b>ADOPTED:</b>	BR 2016#01 (16 March 2016)
<b>AMENDMENTS:</b>	
<b>REVIEW:</b>	March 2021

## **1.0 Policy Statement**

All policies, guidelines and protocols of Mary Immaculate College, will reflect the Colleges commitment to the promotion of equality and will be fully compliant with the provisions of prevailing equality legislation.

1.1 It is the policy of Mary Immaculate College that the taking of annual leave will be managed in a planned, efficient manner, in accordance with relevant legislation and with due regard to employee wellbeing.

1.2 All policies, guidelines and protocols of Mary Immaculate College, will reflect the Colleges commitment to the promotion of equality and will be fully compliant with the provisions of prevailing equality legislation

## **2.0 Scope of Policy**

2.1 This policy applies to all employees of Mary Immaculate College.

## **3.0 Legislation/Other Related Policies**

3.1 Governing legislation, regulations and codes of practice in relation to this document include:

- Organisation of Working Time Act, 1997.
- Organisation of Working Time (Determination of Pay for Holidays) Regulations, 1997.
- Organisation of Working Time (General Exemption) Regulations, 1998
- Organisation of Working Time (Records) (Prescribed Form and Exemptions) Regulations, 2001.
- SI 338 of 2015 - Workplace Relations Act 2015 (Commencement) Order 2015
- Maternity Protection Acts, 1994 and 2004
- Parental Leave Acts, 1998 and 2006
- Code of Practice on Compensatory Rest Periods.

## **4.0 Responsibilities**

4.1 It is the responsibility of each employee to comply with the provisions of this policy.

4.2 It is the responsibility of Heads of Department/line managers who approve annual leave to manage annual leave in a manner which ensures continuity of service, to make decisions on annual leave applications within a reasonable time frame, to liaise with relevant personnel with regard to provision of absence cover, to cooperate with the maintenance of annual leave

records, and to ensure that all staff under their supervision avail of annual leave within specified time frames.

4.3 It is the responsibility of the Human Resources Office to ensure that new employees and their Heads of Department/line managers are informed of their annual leave entitlements on appointment and to monitor compliance with relevant legislation.

## **5.0 Annual Leave Entitlement**

5.1 Employees are advised of their annual leave entitlement at commencement of employment or when contracts are revised.

## **6.0 Timing of Annual Leave**

6.1 The annual leave year is from 1<sup>st</sup> April to 31<sup>st</sup> March.

6.2 The time at which annual leave is taken is at the discretion of the College. Every effort will be made to accommodate employee's requests but, in certain instances, employees will be required to make alternative arrangements if their absence would cause operational difficulties. As a general principle annual leave should be availed of at times when there are no students in the College.

6.3 Annual leave should be availed of within the leave year to which it applies except in exceptional circumstances. Deferral of statutory annual leave requires the consent of the employee. Deferral of annual leave must also be approved by the employee's Head of Department/line manager. To comply with legislation, deferred annual leave must be taken in the first six months of the new leave year, i.e. before 30<sup>th</sup> September.

6.4 Annual Leave accrued during sick leave must be taken within 15 months of end of the leave year in which it is accrued, i.e. by 30<sup>th</sup> June of the leave year in which the employee returns to duty.

6.5 In certain circumstances, such as during College closures, employees may be required to take annual leave at the request of the College, subject to one months notice.

## **7.0 Annual Leave Applications**

7.1 Applications for annual leave should be submitted to the employee's Head of Department/line manager as early as possible. Applications should be

made in writing/e-mail or where available through the MegaHR employee self-service. Annual leave may not be availed of unless it has been approved in advance by the employee's Head of Department/line manager.

7.2 Where more than one member of staff in a department applies for annual leave on the same dates, leave will be approved based on the date of application, the needs of the service and with due regard to the individual employee's need to reconcile work and any family responsibilities.

## **8.0 Annual Leave and Other Leave**

8.1 From 1<sup>st</sup> August 2015 statutory annual leave is accrued during all periods of sick leave.

8.2 An employee on sick leave cannot commence a period of annual leave without first returning to work or providing a medical certificate confirming fitness to return to work. A period of sickness during annual leave, which is covered by a medical certificate, is not counted as annual leave.

8.3 Employees on maternity leave, unpaid maternity leave and parental leave accrue an entitlement to annual leave.

8.4 Annual leave is not accrued during periods of unpaid leave facilitated through the shorter working year scheme.

## **9.0 Cessation of Employment**

9.1 Employee's who cease employment during the annual leave year and who have taken more leave than they have accrued to the date of cessation, will have a deduction made from their final payment due, corresponding to the number of days leave overtaken. Employees who have not taken their full entitlement of leave accrued to the date of cessation employment may be paid for the untaken leave.

9.2 In no circumstances other than at cessation of employment can an employee receive payment in lieu of annual leave.