



<b>POLICY:</b>	Career Break Policy (Special Leave Without Pay)
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<b>FIRST DRAFT:</b>	
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<b>ADOPTED:</b>	BR 2008#04 UR 2017#04
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<b>REVIEW:</b>	
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## **POLICY ON LEAVE WITHOUT PAY FOR THE PURPOSE OF A CAREER BREAK**

### **1.0 Policy Statement**

1.1 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.

1.2 Mary Immaculate College is committed to developing, maintaining and supporting Family-Friendly Working and Work-Life Balance policies and working arrangements that facilitate staff to achieve a better balance between work and family life. In consideration of this the College operates a career break scheme for staff.

1.3 While staff will be facilitated as far as possible, the needs of the College may require that some applications will have to be deferred or refused. The operation of the career break scheme is subject to the requirements of Departments/Offices/College Functions not being adversely affected and any additional expenditure incurred by the College being minimal.

### **2.0 Aims of Document**

2.1 The aims of this policy are:

- To make a career break scheme available to staff in order to facilitate requests for periods of unpaid leave.
- To detail the application and decision making process for a career break and the circumstances under which an application for career break may be approved.

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

3.1 Governing legislation, regulation and policy in relation to this document includes:

- Mary Immaculate College Equality Policy

### **4.0 Responsibilities**

4.1 It is the responsibility of each member of staff who wishes to avail of a career break to comply in full with the conditions set out in this policy.

4.2 It is the responsibility of each Head of Department/Line Manager to make a recommendation on applications for career break from members of staff for whom they have responsibility, having due regard to the impact the leave may have on service provision in their area and to the prospects of sourcing a suitably qualified and experienced substitute.

4.3 It is the responsibility of the Human Resources Office to process applications for career break, to confirm whether or not applications comply with the terms of the Career Break Policy, to refer applications for career break to the Executive Team for decision and to

communicate the decision of Executive Team to applicants and their Line Manager/Head of Department.

4.4 It is the responsibility of Executive Team to make decisions on applications for career break in line with the criteria set out in this policy.

## **5.0 Purpose of Career Break**

5.1 A career break is a period of unpaid leave which may be granted for most purposes including child-rearing, other domestic purposes (e.g. care of a sick relative), educational purposes, developing world assignments, self-employment or travel abroad. Applicants must provide clear details of the exact purpose for which the career break will be used.

5.2 A career break will not be granted for the purpose of facilitating an employee to take up employment in another public sector body.

5.3 Where an employee proposes to change the purpose of their career break, s/he must apply for approval in writing to the Human Resources Office, which will refer the request to the ET with recommendations.

5.4 Where a staff member uses a career break for purposes other than those for which the career break was granted, the career break will be terminated immediately and the staff member may be subject to disciplinary proceedings.

## **6.0 Eligibility**

6.1 All staff members, serving in a full-time or part-time capacity are eligible to apply for a career break, provided they have at least three years of continuous service with the College and that they have not reached retirement age.

## **7.0 Duration of Career Break**

7.1 A career break shall consist of special leave without pay for a period of not less than six months and not more than five years, other than career breaks approved for the purposes of taking up employment elsewhere in which case the maximum period allowable will be one year.

7.2 A staff member may apply to have their initial career break extended on a 12-monthly basis.

7.3 The College reserves the right to refuse an application for extension of a career break.

## **8.0 Application Process**

8.1 Staff members must make a written application for a career break to their Head of Department/Line Manager, copied to the Human Resources Office, detailing the purpose and duration for which the career break is sought.

8.2 The application must be made at least 3 months in advance of the proposed commencement date of the career break. Academic staff will normally be permitted to commence career break from the beginning of the academic year only. The 3 month notice period may be waived in exceptional circumstances, e.g. on compassionate grounds, at the sole discretion of the College President.

8.3 The Head of Department/Line Manager will forward the application for career break to the Human Resources Office with a recommendation for approval of the application or alternatively refusal of the application setting out the grounds for same.

8.4 The Human Resources Office will ensure that the applicant is eligible to apply for a career break and the application is compliant with policy requirements.

8.5 The Director of Human Resources will submit the application to Executive Team, with his/her recommendation and the recommendation of the Head of Department/Line Manager. Final decisions will be made by the Executive Team.

## **9.0 Reckonable Service**

9.1 Special leave without pay for a career break does not count as service and is **not** reckonable for incremental or superannuation purposes or towards qualifying service for promotion.

9.2 A staff member may have the period reckoned for superannuation purposes by making a contribution of an appropriate percentage of salary.

## **10.0 Promotions**

10.1 A staff member should indicate in their application for career break whether s/he wishes to be considered for promotion and/or notified of competitions (interdepartmental, internal and other confined competitions) while s/he is on career break.

10.2 The onus is on the staff member on career break to ensure that the Human Resources Office has been supplied with an up-to-date contact address and telephone number.

## **11.0 Return to Duty**

11.1 Staff members are required to contact the Human Resources Office, in writing, at least three months before the expiry of the career break to indicate whether they wish to;

- Apply for an extension to the career break (if appropriate)
- Resume duty on expiry of the career break
- Resign from their post.

11.2 Where a staff member fails to contact the Human Resources Office, the Human Resources Office will endeavour to contact the staff member, no later than one month before the expiry of the career break, asking him/her to indicate his/her intentions.

11.3 Where, despite making reasonable efforts, the Human Resources Office is unable to make contact with the staff member, or is unable to obtain a satisfactory reply as to his/her intentions, the Human Resources Manager will inform the staff member, in writing to his/her last known address, that the terms of the undertaking are being invoked and that the Director of Human Resources accepts his/her resignation with effect from the last day of the career break.

11.4 As specified, the onus is on the staff member on career break to ensure that the Director of Human Resources has been supplied with an up-to-date contact address and telephone number.

11.5 In view of the serious consequences, which may arise as a result of non-compliance with the terms of the career break scheme with regard to resumption of duty, written correspondence will be sent by registered post.

11.6 Staff resuming duty will normally return to the post which they held prior to commencing career break. However in exceptional cases, the College reserves the right to reassign staff returning from career break to a different post but at the same grade as they held before commencing career break.

11.7 A staff member does not have an automatic right to return to duty in a job-sharing capacity, even if s/he had been job-sharing before commencing the career break, however, the Director of Human Resources, in consultation with the Head of Department/Line Manager will endeavour to facilitate such requests, where feasible.

## **12.0 Social Welfare Arrangements**

12.1 As the arrangements, if any, for payment of certain social welfare contributions, or receipt of certain social welfare benefits or allowances, while on career break, may vary from time to time, staff members are advised to check out their own individual situation with the Department of Social Protection prior to commencing a career break and to check, periodically, as to the up-to-date position.