

Sick leave



On 1 September 2014, a revised sick leave scheme came in to effect. Circular 59/2014 outlines teachers' sick leave entitlements.

The rate of pay that a teacher may receive on sick leave depends on the nature of the illness (ordinary or critical*) and the duration of the absence.

A teacher on sick leave categorised as ordinary is entitled to be paid for 92 days at the full rate and 91 at half pay over a rolling four year period. A teacher on critical illness will have an entitlement to 183 days at full pay and 182 days at half pay over a four year period.

Calculating sick leave pay

The rate of sick leave pay is determined by what is known as a dual look back.

Firstly, a teacher needs to establish an entitlement to be paid when out on sick leave. To do this, a teacher needs to look back over the last four years of his/her sick leave record.

Example

Mary has been certified sick by her GP from the start of November 2014 (marked X on fig 1). Her GP has advised she remain on sick leave for the month. Mary's illness is classified as ordinary. Mary is trying to figure out whether she will be paid for the month of November. If so, will the full or half rate of pay apply?

This is Mary's sick leave record since 2010.

Sick Leave Record

Fig 1

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Subtotal
2010				30 days		30 days							
2011											30 days		
2012					10 days						20 days		
2013						9 days							
2014	31 days										X		
												Total	

Sick Leave

First lookback (Fig 2)

Mary needs to look back four years to November 2010. As her illness is classified as ordinary, she has an entitlement to be paid for 183 days (either at full pay or half pay) in a rolling four year period. However, as she has already had 100 days used within

the last four year period, she has an entitlement to be paid for 83 days.

Note the absences in April and June 2010 fall outside the four year lookback.

Fig 2

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Subtotal
2010				30 days		30 days							
2011											30 days		
2012					10 days						20 days		
2013						9 days							
2014	31 days										X		
												Total	

Second lookback (Fig 3)

In the previous 12 month period Mary has only 31 days of sick leave on full pay (of a maximum of 92). Therefore, she will be paid at the full rate of pay for November.

Were she to remain out sick indefinitely she would be paid

for 61 days at the full rate of pay and 22 days at the half rate of pay. After that she will have exhausted 183 days within the rolling four year period and move to Temporary Rehabilitation Remuneration.

Fig 3

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Subtotal
2010				30 days		30 days							
2011											30 days		
2012					10 days						20 days		
2013						9 days							
2014	31 days										X		
												Total	

Temporary Rehabilitation Remuneration (TRR) is not pensionable and is based on the ill health retirement formula.

- ⌘ Teachers with between five and 10 years' service may be credited with an equivalent amount of pensionable service (i.e. double the amount of actual service will be allowed)
- ⌘ Teachers with between 10 and 20 years' service may be credited with the more favourable of (a) the difference between actual service and 20 years or (b) an additional six years and 243 days (i.e. six and two-three years).
- ⌘ A teacher with more than 20 years' service may be credited with six and two-thirds years of added service or the number of years service service to age 60 which ever is lesser.

Under this scheme a teacher will not drop below the disability benefit rate.

TRR is paid for 18 months in the case of an ordinary and 24 months in the case of a critical illness.

There is further information including a Podcast in relation to sick leave on the INTO website at www.into.ie which members are advised to view.

Members can also ring the queryline on 1850 708 708 or 01 8047700 should they require any additional information.

Critical illness

The dual count-back example above refers to a teacher suffering from an Ordinary Illness (three months on full pay/three months on half pay).

The dual count-back mechanism operates in the same fashion for a teacher with a critical illness except that there is provision for six months (183 days) on full pay followed by six months (182 days) on half pay.

** In order to have the illness classed critical a teacher ordinarily needs to be under the care of a consultant **and** one of the following criteria: acute life threatening, chronic progressive illness, major physical trauma, is an in-patient for two weeks or more.*



Sick leave record

Circular 59/2014 makes provision in the case of longer absences for a teacher to move from full-pay to half-pay and then to temporary rehabilitation pay (TRR) during the course of an illness. It is important therefore that teachers

maintain a record of their sick leave absences. This cut out and keep grid facilitates the keeping of a personal record. A further record can be obtained at school level from the OLCs.

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Subtotal
2010													
2011													
2012													
2013													
2014													
2015													
2016													
												Total	

Ordinary illness

Full pay six months (92 days) + three months half pay (91 days)
Total 183 days in a rolling four year period

Critical illness

Full pay six months (183 days) + three months half pay (182 days)
Total 365 days in a rolling four year period