

CHAPTER 7 – CAREER BREAK SCHEME

(Should be read in conjunction with the [General Provisions for All Schemes](#), and [Definitions](#))

1. Career Break Scheme

1.1 A Career Break is a period of special leave without pay. The main objective of the Career Break Scheme is to facilitate applicants where possible, in relation to areas such as:

- a) Personal Development
- b) Voluntary Service Overseas
- c) Accompany spouse/partner on Diplomatic/Military Posting
- d) Educational purposes
- e) Public Representation
- f) Family Reasons
- g) Self-employment

2. Eligibility

2.1 A teacher is eligible to apply for a Career Break where he/she will have satisfactorily completed, at the end of the school year in which they are applying, 12 months of continuous service with the current employer. This requirement is waived where a teacher is compulsorily redeployed into a school or where a school is amalgamated provided that he/she has worked at least one full year in his/her former school prior to redeployment/amalgamation.

3. Duration of Career Break

3.1 A Career Break is for a period of not less than 1 school year and may be extended on an annual basis provided the total period of the Career Break does not exceed 5 years at any one time, subject to an overall maximum of 10 years absence in the course of the teacher's career.

3.2 A subsequent Career Break may not be taken until the teacher has served for a period equal to the duration of the previous Career Break. In the case of a teacher wishing to avail of a Career Break to undertake voluntary service abroad/missionary/diplomatic/military/Oireachtas or study leave this requirement will be waived.

3.3 A Career Break must commence at the start of a school year. A return to duty in the school/ETB which granted the Career Break or to the school/ETB

where the teacher has been redeployed is not permitted other than at the beginning of a succeeding school year.

- 3.4 In exceptional circumstances, an employer may approve a Career Break to commence during the course of a school year and terminate not earlier than the end of that school year. This is deemed to be a 1 year Career Break.
- 3.5 The duration of a Career Break may not extend beyond:
- a) the date of termination of a fixed term contract
 - b) the date of compulsory retirement
 - c) the limits set out at paragraph 3.1
 - d) the end of the relevant school year (in cases where an application for extension has not been submitted/approved)

4. Application Procedures

- 4.1 A teacher seeking a Career Break must submit the completed Application Form at Appendix A to the employer not later than 1st February of each school year.
- 4.2 A late application may be considered by the employer in exceptional circumstances.
- 4.3 A teacher who wishes to extend his/her Career Break must apply for this extension on an annual basis within the deadline set out at 4.1.
- 4.4 Each application for, or extension of, a Career Break shall be considered on its own merits by the employer within the context of the school/ETB policy on teacher absences. The decision of the employer is final.
- 4.5 The employer's decision on the Career Break application must include a written notice of approval or refusal to the teacher no later than 1st March. Where an application is refused the employer must include the grounds for refusal.
- 4.6 Taking account of the extent of arrangements to be put in place by the employer to accommodate the Career Break, the applicant is not permitted to withdraw his/her application after 14th April. In exceptional circumstances the employer may consider a later withdrawal of a Career Break application.

5. Notification and Recording of Leave

- 5.1 The Career Break absence must be notified by the employer to the Department/ETB via the OLCS/relevant ETB system on or before 1st April. The employer must also list the names of all teachers availing of a Career Break on the annual Change of Staff form/relevant ETB system.

6. Status during Career Break

- 6.1 A teacher on Career Break is deemed for all purposes to be in employment with the exception of remuneration, superannuation or the service requirement for promotion. A Career Break absence will not affect a teacher's seniority.

7. Replacement Teacher

- 7.1 The position of a replacement teacher must be filled in accordance with current rules for teacher recruitment. He/she shall be offered a fixed term-contract. Such a contract must include a condition that the contract will terminate if the teacher on Career Break resigns or retires.

8. Employment while on Career Break

- 8.1 A teacher absent on Career Break may not be employed in an approved teaching or special needs assistant post funded by monies provided by the Oireachtas. In exceptional circumstances, an employer may appoint a qualified teacher on Career Break for substitute teaching purposes subject to the following limits:

- in Primary – for a maximum of 90 days in a school year
- in Post Primary – for a maximum of 300 hours in a school year

- 8.2 A teacher who is on Career Break and is employed in a substitute capacity as a teacher in a primary school, shall be regarded as working on a casual basis until he/she has worked for a period in excess of 40 days in a recognised school. Substitute days worked as a teacher in excess of 40 days will be paid at the teacher's personal rate.

- 8.3 A teacher who is on Career Break and is employed in a substitute capacity as a teacher in a post-primary school shall be regarded as working on a casual basis until he/she has worked for a period in excess of 150 hours in a recognised school/Further Education centre. Substitute hours worked as a teacher in excess of 150 hours will be paid at the teacher's personal rate.

- 8.4 Such substitute teaching will count towards progression on the incremental salary scale and superannuation.

9. Return to Work following Career Break

- 9.1 A teacher must notify the employer by 1st February of his/her intention to return to work from a Career Break at the beginning of the next school year.
- 9.2 It is the responsibility of the teacher returning from a Career Break to ensure that he/she is registered with the Teaching Council on the intended date of resumption. Please note that the Teaching Council registration process, which includes vetting, may take up to 12 weeks during the peak period of July and August. Additional police clearance requirements may also be applicable where teachers have lived abroad. Teachers are therefore advised to commence the registration process once they have notified the school of their intention to return to work.
- 9.3 A teacher returning from a Career Break following an absence greater than 2 school years must undergo a medical assessment and be certified medically fit by the OHS prior to returning to work. The procedures to be followed are available in the Employers Procedures Manual (Chapter 2) which is located at Appendix A of the Sick Leave Scheme.
- 9.4 The terms and conditions of teachers in general including the terms of any redeployment scheme existing at the time of return shall apply to a teacher resuming duty after a Career Break.

10. Resignation while on Career Break

- 10.1 A teacher on a Career Break who wishes to resign from his/her teaching post must notify the employer in writing in accordance with the teacher's terms of employment. If a teacher resigns from the Career Break during the course of the school year, that year will be deemed to be a full school year for the purposes of paragraph 3 of the Career Break Scheme should the teacher re-enter teaching service at a later date.
- 10.2 In the event that a teacher fails to resume duty at the end of an approved period of Career Break, the employer shall immediately notify the Paymaster so that salary will not be restored. The employer shall also take timely action to establish the position and take appropriate action.

11. PRSI Arrangements

- 11.1 A teacher on a Career Break remains an employee of the employer for the duration of the absence and the absence does not constitute a break in service for PRSI purposes.
- 11.2 Teachers seeking to maintain their Social Welfare entitlements during a Career Break should, therefore, contact the DEASP for advice prior to commencement of a Career Break.

12. Pension

- 12.1 A period of unpaid leave of absence does not reckon for pension purposes. However, depending on the rules of the relevant pension scheme contributions at full actuarial cost for the duration of the approved initial absence may be paid. These payments may be made either by quarterly instalments during the initial Career Break (by making arrangements with the Pension Section of the Department/ETB prior to the commencement of the Career Break) or following a return to teaching. It is recommended that confirmation of individual pension position is obtained by the teacher prior to the commencement of unpaid leave from the Pensions Section of the Department/ETB.
- 12.2 Where a pension scheme member is granted approved unpaid leave of absence to work as a Volunteer Development Worker (VDW), in a developing country, under the auspices of Comhlamh, it may be possible for that agency to pay the full actuarial cost to the public service pension provider for a maximum period of 2 years, subject to conditions in place from time to time. Further information is available from the Comhlamh.

13. Voluntary Deductions

- 13.1 Voluntary deductions from salary cease when a teacher commences on Career Break. While a teacher is on Career Break, details of the voluntary deductions will remain on his/her payroll record and therefore, any deductions in place prior to the teacher's Career Break will recommence on his/her return to the payroll unless it has been end dated at the request of the teacher via the deduction agency. The Paymaster will not make any deduction in respect of any accumulated unpaid amounts for the period of the Career Break.
- 13.2 It is the sole responsibility of a teacher availing of a Career Break to ensure that voluntary deductions at source such as medical insurance policies, income continuance insurance, union subscriptions, credit union and local property tax payments do not lapse.
- 13.3 No liability rests with the Paymaster for policies of any nature which lapse. Further details in relation to voluntary deductions can be found on the Department's website under Education Staff – Services - Payroll / Financial - Voluntary Deductions - Conditions of operation of a Deduction At Source (DAS) facility for Voluntary Deductions. ETB teachers should contact their employer in this regard.
- 13.4 Any outstanding balances owed by a teacher participating in the Cycle to Work or the Travel Pass Scheme must be cleared before commencing a Career Break.

Appendix A - Application Form for Career Break

The Application Form should be fully completed annually and submitted to the employer prior to commencing or seeking an extension to a Career Break and not later than 1st February.

PART 1A– TEACHER APPLICATION

Teacher's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

School Name: _____ Roll No: _____

Have you previously taken a Career Break? Yes No

If "YES" please provide dates of previous Career Break(s): _____

PART 1B - DETAILS OF PROPOSED CAREER BREAK

Proposed start date of Career Break: _____

Objective of Career Break (*please tick relevant box*):

- Personal Development
- Voluntary Service Overseas
- Accompany spouse/partner on Diplomatic/Military Posting
- Educational purposes
- Public Representation
- Family Reasons
- Self-employment
- Other

Additional Information to support Career Break application:

Declaration

I wish to apply for a Career Break in accordance with the Career Break Scheme as set out in Circular 0054/2019 titled '*Leave Schemes for Registered Teachers Employed in Recognised Primary and Post Primary Schools*'.

I confirm that the information provided in the application is true and accurate.

Signature of Teacher: _____ Date: _____

Data Protection Privacy Statement

The main purpose for which the Department requires you to provide this personal data to your employer is to enable your Career Break application to be processed. Your employer will retain your application form and accompanying documents in accordance with their Data Protection policy. Further information in relation to this policy is available on request from your employer.

The Privacy Notice outlining further information in relation to this application form can be found at: <https://www.education.ie/en/The-Department/Data-Protection/gdpr/gdpr.html> Full details of the Department's Data Protection policy setting out how we will use your personal data as well as information regarding your rights as a data subject are available at <https://www.education.ie/en/The-Department/Data-Protection/>. Details of this policy are also available in hard copy from Teacher/SNA Terms & Conditions, Department of Education & Skills, Cornamaddy, Athlone, Co. Westmeath, N37 X659, upon request.

PART 2 – EMPLOYER DECISION

I certify that I have approved/refused (delete as appropriate) the Career Break application in accordance with the Career Break Scheme as set out in Circular 54/2019 titled '*Leave Schemes for Registered Teachers Employed in Recognised Primary and Post Primary Schools*'. The following documents will be retained for audit purposes:

1) Application for Career Break

2) Copy of Decision Notice issued to teacher

Approved Career Break has been recorded on the OLCS/relevant ETB system

Signature: _____ Date: _____
(Employer)

Application Form should NOT be submitted to the Department of Education and Skills. It should be retained in the school/ETB with any other relevant documentation for record and audit purposes with the relevant personnel records.