

CHAPTER 11 – UNPAID LEAVE

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

1. Unpaid Leave

- 1.1 Unpaid Leave may be granted in exceptional circumstances where the employer is satisfied that there is a compelling obligation involving absence from duty.
- 1.2 The maximum amount of Unpaid Leave which may be taken in one school year is 10 school days. Substitution for such days will be paid by the Department/ETB.
- 1.3 Unpaid Leave absences must not be of a recurring nature.
- 1.4 Unpaid Leave must not be used to substitute other forms of leave.

2. Application Procedures

- 2.1 Applications for Unpaid Leave should be made to the employer at least 6 weeks prior to the planned commencement date, using the Application Form at [Appendix A](#).
- 2.2 The employer must provide the teacher with a written notice of their decision to approve/refuse the leave application. Where an application is refused, the employer must include the grounds for refusal.

3. Status during Unpaid Leave

- 3.1 An Unpaid Leave absence for part of a school day will be recorded as a full day's absence.
- 3.2 A teacher on approved Unpaid Leave is deemed for all purposes to be in employment at that time, with the exception of remuneration and superannuation.

4. Employment while on Unpaid Leave

- 4.1 A teacher absent on Unpaid Leave may not engage in any type of teaching or any other paid employment.

Appendix A - Application Form for Unpaid Leave

The Application Form should be fully completed and submitted to the employer at least 6 weeks prior to the planned commencement date.

PART 1 – TEACHER APPLICATION

Teacher's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

School Name: _____ Roll No: _____

Reason for Unpaid Leave: _____

Proposed start date: _____ Proposed end date: _____

Declaration

I wish to apply for Unpaid Leave in accordance with the regulations and procedures 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 Unpaid Leave 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 Unpaid Leave in accordance with the regulations and procedures as set out in Circular 0054/2019 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 Form for Unpaid Leave

2) Copy of Decision Notice issued to teacher

Approved Unpaid Leave has been recorded on the OLCS/relevant ETB system

Signature: _____ Date: _____
(Employer)

The 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.