

## CHAPTER TWO – STATUTORY ANNUAL LEAVE/PUBLIC HOLIDAY ENTITLEMENTS

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

### 1. Statutory Annual Leave/Public Holiday Entitlements

- 1.1 In general full time employees are entitled to 20 days annual leave
- 1.2 Employees who work less than full hours are entitled to annual leave on a pro rata basis.
- 1.3 Any entitlements in respect of public holidays will be addressed by additional annual leave where the Public Holiday occurs while the teacher is absent on any of the following:
  - Sick Leave
  - Maternity Leave
  - Adoptive Leave
  - Parental Leave
  - Career Break
  - Job Sharing
  - Carer's Leave
- 1.3 Annual leave entitlements are to be taken on existing school closure days that occur in the leave year in question and before or after the leave period availed of and at a time outside of the leave period (e.g. Sick Leave/Maternity Leave.)
- 1.4 Where there are not enough school closure days in the leave year to absorb all annual leave entitlements, it is permitted to take the necessary days immediately
  - prior to Maternity , Adoptive and Parental Leave and
  - after in the case of Sick Leave

Alternatively, teachers are permitted to carry the balance forward to the following leave year but must then take these days during school closures.

- 1.5 Teachers who resign/retire or whose employment ceases may be entitled to additional payment in lieu of their accrued leave.

### 2. Accrual of Annual Leave while on Sick Leave

- 2.1 Since 1<sup>st</sup> August 2015, arising from an Amendment to the Organisation of Working Time Act 1997, the following applies:
  - Statutory annual leave entitlement continues to accrue during a period of certified sick leave. The entitlement will be to carry over such accrued annual leave for up to 15 months after the leave year in question.

- This entitlement must be availed of within 15 months of the end of the leave year to which it relates.
- Teachers who are unable to take their annual leave at the appropriate time due to certified illness and who terminate their employment/reach the end of contract/retire within 15 months of the end of the year in which annual leave is so accrued, may be entitled to payment in lieu of this leave, provided they do not move directly to another Oireachtas funded position in this State.

Full details of this amendment may be found in [Section 86\(1\) of the Workplace Relations Act 2015](#). Please note that annual leave carryover will be restricted to statutory entitlement and relevant periods of school closure will be reckonable for the purpose of catering for any such accrual of annual leave.