



Circular 35/2013

To: The Managerial Authorities of Recognised Primary, Secondary and Community and Comprehensive Schools

Public Service Stability Agreement 2013 – 2016 (Haddington Road Agreement) and the Financial Emergency Measures in the Public Interest Act 2013

Clerical Officers and Caretakers employed in National Schools under the 1978/79 Scheme and Clerical Officers employed in Post Primary Schools under the 1978 Scheme

Introduction

1. The purpose of this Circular is to notify managerial authorities and Clerical Officers and Caretakers employed in National Schools under the 1978/79 Scheme and Clerical Officers employed in Post Primary Schools under the 1978 Scheme of the changes to salary and other measures to take effect from 1 July 2013. These changes arise from the Financial Emergency Measures in the Public Interest Act 2013 and the Public Service Stability Agreement 2013 – 2016 (Haddington Road Agreement), having regard to section 7 of the Act.
2. For the purposes of this Circular, salary is to be taken to mean salary inclusive of allowances in the nature of pay which are fixed periodic pensionable allowances.

Increments and related balancing measures

3. For staff on salaries below €35,000, one three-month increment freeze will apply. This will take effect after the next increment is paid, with the following increment being awarded after 15 months rather than 12.
4. For staff on salaries between €35,000 and €65,000, two three-month increment freezes will apply. This will take effect after the next increment is paid, with the following two increments each being awarded after 15 months rather than 12 months.

5. Where a staff member's salary surpasses €35,000 during the Agreement, a second incremental freeze of three months will apply, in accordance with the arrangements for staff on salaries between €35,000 and €65,000 outlined at paragraph 4 above.
6. Specific arrangements will apply for staff with salaries between €35,000 and €65,000 who are on the final point of the incremental scale or who reach the final point of the scale following a 15 month increment period. These arrangements will be notified in a separate communication.
7. Where a person is employed on less than full hours, then a calculation will be made to determine their whole-time equivalent salary. Where the whole-time equivalent salary is less than €35,000, the increment measures at paragraph 3 will apply. Where the whole-time equivalent salary is greater than €35,000, the measures at paragraphs 4 to 6 will apply as appropriate.

Additional Working Hours

8. Staff with a working week of 35 hours or less (net of rest breaks) will increase to a minimum of 37 hours a week and staff who currently work more than 35 but less than 39 hours a week (net of rest breaks) will increase to a 39 hour week. Pro-rata arrangements will apply for job-sharer and part-time staff.
9. Working hours of those staff with a net working week of 39 hours or greater will remain the same, but an hour of overtime worked each week by these staff will be unpaid until 31 March 2014. Pro-rata arrangements will apply for job-sharer and part-time staff.
10. Timescale for implementation of new working hours:
 - The first 2 hours and 15 minutes per person per week will be implemented from 1 July 2013.
 - Any remaining liability will be implemented from 1 July 2015.
11. Extra hours worked will be deployed and may be aggregated on a daily, weekly or annual basis following local consultation, based on the principles agreed in each sector.
12. Staff will co-operate with the revisions to rosters necessary for the full deployment of the additional hours and with any consequential revisions.
13. School management will allow persons to opt to remain on their current hours for a period **subject to appropriate adjustment in pay**. This period will end no later than 30 June 2014 unless otherwise agreed with school management. School management should inform the Non-Teaching Staff Payroll Section of the Department where such arrangements are approved. Reduced hours will be treated as a work sharing arrangement, where such a scheme currently exists.

14. For grades **up to and including Grade VII and equivalents** increases in working hours **will be limited to two hours and 15 minutes per week** subject to the following:
- A minimum working week of 35 hours will apply. Pro-rata arrangements will apply for job-sharer and part-time staff.

Worked Example:

If you are a Grade III or equivalent currently working 32.5 hours per week (net of rest breaks) and you are in a Grade represented by a Union who have signed up to the Haddington Road Agreement then with effect from 1 July 2013 your working hours increase to 34 hours 45 minutes per week (net of rest breaks). With effect from 1 July 2015 your working hours increase again to 35 hours per week (net of rest breaks).

Pension-Related Deduction – Rate Adjustment:

15. The rates for the Pension-Related Deduction will be reduced in the €15,000-€20,000 band rate to 2.5% from 5% with effect from 1 January 2014. From 1 January 2014, the rates for the PRD will be as follows:

| Bands and Rates | |
|------------------------|--------|
| Below €15,000 | Exempt |
| €15,000 - €20,000 | 2.5% |
| €20,000 - €60,000 | 10.0% |
| Above €60,000 | 10.5% |

Pensions

16. A staff member who has access to a public service pension scheme and who retires on or before 31 August 2014 will have his or her superannuation benefits calculated by reference to the salary scales applying on 30 June 2013.
17. Where a staff member retires on or before 31 August 2014 on a pension greater than €32,500 that pension will be subject to the Public Service Pension Reduction (PSPR) as provided for in the Financial Emergency Measures in the Public Interest Act 2013 which is effective on and from 1 July 2013.
18. Information on the PSPR provisions in the 2013 Act may be viewed on the website of the Department of Public Expenditure and Reform at: <http://per.gov.ie/faqs-on-haddington-road-agreement-2/>

Work-sharing Scheme for Clerical Officers employed in National and Post Primary Schools under the 1978 Scheme

19. The implementation and operation of the work-sharing arrangements is at the discretion of school management, who retain the discretion to alter, reduce and/or standardise the range of work-sharing patterns available to staff having regard to the specific needs of the school.
20. No work-sharing pattern approved in the future should be less than 50% of full time working hours.
21. Each staff member's work-sharing arrangements will be formally reviewed on an annual basis (or earlier if required). Where such a review has not yet taken place a review must be completed by the end of 2013.
22. School management's discretion to alter or change a staff member's work-sharing arrangements, on the giving of due notice (3 months), is confirmed. School management may, on reasonable business ground and with reasonable notice, refuse an application for worksharing, require a staff member to vary their work sharing arrangements, or require a staff member to resume full time work.

Circulation

23. Please ensure that copies of this Circular are provided to the Board of Management and its contents are brought to the attention of all Clerical Officers and Caretakers employed in National Schools under the 1978/79 Scheme and Clerical Officers employed in Post Primary Schools under the 1978 Scheme in your employment including those on leave of absence.
24. This Circular can be accessed on the Department's website under <http://www.education.ie> .

Padraig Maloney
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28 June 2013