



Information Note TC 0006/2022

**To: The Managerial Authorities of Recognised Primary, Secondary,
Community and Comprehensive Schools and
The Chief Executives of Education and Training Boards**

COVID-19: Working Arrangements for Higher Risk Teachers and Special Needs Assistants (employees) for the 2022/23 school year

1. Introduction

- 1.1 The Government's [Transitional Protocol](#) - Good Practice Guidance for Continuing to Prevent the Spread of COVID-19, which has evolved from the Work Safely Protocol, reflects the most recent public health advice.
- 1.2 Further to the above and in line with Department of Public Expenditure and Reform direction for public sector employees, the Minister for Education directs employers to implement the arrangements in this Information Note for the higher risk group of employees, who are employed in approved posts funded by monies provided by the Oireachtas.
- 1.3 The arrangements in this Information Note must be commenced by each employer with effect from 30th June 2022. All employees must adhere to the arrangements.
- 1.4 This Information Note supersedes paragraph 4 of [Circular 0042/2021](#) titled 'Coronavirus (COVID-19): Arrangements for Teachers and Special Needs Assistants employed in recognised primary and post primary schools'. The Information Note also supersedes paragraph 4 of [Information Note TC 0001/2022](#).

2. Working Arrangements for Higher Risk Employees – 2021/22 school year

- 2.1 In the 2021/22 school year, arrangements are in place for the following employee categories to be facilitated by the employer to work from home:-
 - (a) an employee currently categorised by the Occupational Health Service (OHS) as 'Very High Risk' of serious illness from contracting COVID-19.
 - (b) a pregnant employee currently categorised by the OHS as 'High Risk' of serious illness from contracting COVID-19, and working in a special education setting.

- 2.2 The OHS COVID-19 Health Risk Categorisation Reports for the employees at (a) and (b) above will expire at the latest on 30th June 2022.
- 2.3 For non-ETB schools, the current 'Very High Risk' status of the employee will already be recorded by the employer under the OLCS leave category, 'Personal Leave', sub-category titled 'COVID-19: Very High Risk'. The employer is required to insert an end-date of 30th June 2022 on the employee's OLCS record, as their Health Risk Categorisation Report expires on that date. ETB schools must ensure the same process is carried out on their systems.
- 2.4 An employee in the 'high risk' group, as defined by the [HSE](#) attends the workplace, as normal.

3. Working Arrangements for Very High Risk Employees from 1st July 2022

- 3.1 From the 1st July 2022 (in most cases this will come into effect from the commencement of the 2022/23 school year), an employee in the [very high risk group](#) as defined by the HSE, as well as pregnant employees defined in paragraph 2.1(b) above, must attend the workplace if they are medically fit for work. The employer has a role in supporting the employee's return to the workplace.
- 3.2 An employer therefore can no longer facilitate remote working for an employee in the very high risk group. On this basis, OHS COVID-19 Health Risk Assessments are no longer available.
- 3.3 As these employees' OHS health risk categorisation status of 'Very High Risk' are due to expire on 30th June 2022, the employer is advised to ensure they carry out a workplace risk assessment, (as detailed at paragraph 4 of this Information Note), ahead of their return to the workplace at the commencement of the 2022/23 school year.
- 3.4 Employees whose OHS health risk categorisation status of 'Very High Risk' is due to expire on 30th June 2022 and who consider they are medically unfit for work, must notify the employer immediately. In accordance with the Sick Leave Scheme, the employer must refer the employee to the OHS in line with the protocol laid out in the Employers Procedures Manual (Chapter 2, paragraph 2 'Employment Medical Assessments'). Please refer to [Circular 0054/2019](#) for teachers and [Circular 0060/2019](#) for SNAs. This referral should take place in advance of the 2022/23 school year.
- 3.5 Further to paragraph 3.4, where the employee is deemed medically unfit for work by the OHS, the terms and conditions of the Sick Leave Scheme will apply for the period until they are medically fit to return to work. The period must be recorded by the employer as 'Certified Sick Leave' on the OLCS/relevant ETB system.
- 3.6 Further to paragraph 3.4, where an employee is deemed medically fit for work by the OHS, they may not apply for Critical Illness Provisions (as detailed in the relevant Sick Leave Scheme) due to COVID-19 medical vulnerability alone.
- 3.7 A pregnant employee may not apply for Maternity Health and Safety Leave based solely on a COVID-19 risk in the workplace.

4. Risk Assessments

- 4.1 The employer has obligations under the Safety, Health and Welfare at Work Act, 2005 to ensure the safety and welfare of staff at work. It is the duty of the employer to carry out a risk assessment to meet these obligations, including workplace pregnancy risk assessments. For specific questions on health and safety and for updated legislation, please refer to the Health and Safety Authority (HSA) at link: <https://www.hsa.ie>.

5. Occupational Health Service

- 5.1 The Occupational Health Service is available to provide medical advice to an employer who has concerns about an employee's medical fitness for work (including COVID-19).

6. Employee Assistance Service

- 6.1 The [Employee Assistance Service](#), which is currently provided by Spectrum.Life is available as a supportive resource for employees. The freephone confidential helpline is 1800 411 057 and is available 24 hours a day, 365 days a year.

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