



Circular Letter 0013/2025

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

**Occupational Injury Leave Scheme for
Registered Teachers employed in
Recognised Primary and Post Primary Schools**

The Minister for Education, pursuant to the power contained in Section 24 of the Education Act (as amended), directs employers to implement the procedures, as stated in this Circular, for eligible registered teachers employed in approved teaching posts funded by monies provided by the Oireachtas.

All employers and teachers must adhere to the agreed terms and conditions as stated with effect from the date of this Circular.

Please ensure that the contents of this Circular are brought to the attention of all members of the Board of Management/Education and Training Boards and all teachers in your employment, including those on a leave of absence.

All queries should initially be brought to the attention of the employer who may wish to consult with their representative organisation. Any further queries may be directed to the Department at the following email addresses:

- a) Queries on terms and conditions for Occupational Injury Leave:
teachersna@education.gov.ie
- b) Queries on recording of leave on OLCS:- onlineclaims@education.gov.ie
- c) Queries on salary: - [Customer Query Form](#)

This Circular can be accessed on the Department's website at gov.ie.

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Definitions and Abbreviations

For the purpose of this Circular, the following terms shall have the meaning assigned to them, unless the context indicates otherwise:

‘Back to Back’ Contract - means a contract which follows immediately from the previous contract with no break in service e.g. one contract ends on 31st August and a new contract will begin from 1st September of the same year.

DSP – means Department of Social Protection.

Employer - means an Education and Training Board (ETB) for vocational schools/community colleges, community national schools, and a Board of Management/Manager in the case of primary (excluding community national schools), voluntary secondary, community, and comprehensive schools. The ETB or Board of Management/Manager may delegate as appropriate responsibility for matters set out in this Circular.

ETB – means an Education and Training Board established under, and governed according to the Education and Training Boards Act 2013.

GDPR – means the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679).

Health and Safety Authority (HSA) – means the national statutory body with responsibility for the administration and enforcement of health and safety at work including responsibility for monitoring compliance with legislation.

Occupational Health Service (OHS) – means the providers of independent medical advice on occupational health for the employer.

Occupational Injury - teachers who are physically injured due to an accident in the actual discharge of their duties, including approved school activities; which was not due to negligence on the part of the teacher: and by some injury solely attributable to the nature of their duty.

On Line Claims System (OLCS) – means the system for recording absences and input of claims for the payment of substitute and non-regular part-time teachers which is currently operating in primary, voluntary secondary, community, and comprehensive schools.

Paymaster – means the organisation in charge of paying salaries. This is the Department of Education in the case of primary (including community national schools), voluntary secondary, community and comprehensive teachers, and the ETBs or Education Shared Business Services (ESBS) in the case of ETB/ vocational/community college teachers.

Recognised School – means a school which is recognised by the Minister for Education in accordance with Section 10 of the Education Act 1998.

Teacher – means a person registered with the [Teaching Council](#).

The Department – means [The Department of Education](#).

1. Occupational Injury Leave Scheme

- 1.1 Under the Occupational Injury Leave Scheme, leave with pay may be granted by the employer, to a teacher who has been certified as medically unfit for work due to a physical injury sustained as a result of an accident in the actual discharge of their duties, including approved school activities; which was not due to negligence on the part of the teacher, and by some injury solely attributable to the nature of their duty which has been established by the employer as an Occupational Injury.
- 1.2 The injury giving rise to an application for Occupational Injury Leave must not have been due to any negligence or any act or omission on the part of the teacher and all due procedures and protocols regarding personal safety must have been adhered to.
- 1.3 The granting of Occupational Injury Leave is not an admission of liability on the part of the employer in respect of any civil or legal claims that may be pursued by the injured party and any such leave is granted on a strictly without prejudice basis.
- 1.4 Where a teacher does not qualify for Occupational Injury Leave, the terms and conditions of the [Sick Leave Scheme](#) may apply.

2. Employer Policy

- 2.1 The employer has a duty under Section 8 of the [Safety, Health and Welfare at Work Act 2005](#) to “ensure, so far as is reasonably practicable, the safety, health, and welfare at work of his or her employees”.
- 2.2 Employers should familiarise themselves with their statutory responsibilities and obligations, in particular, the [Health and Safety Authority \(HSA\)](#) guidelines on managing safety, health, and welfare in schools which are available on the HSA website. This information is also available on the [Department’s website](#).

3. Eligibility for Occupational Injury Leave

- 3.1 A teacher is eligible to be considered for Occupational Injury Leave where they are certified as medically unfit for work, the absence immediately follows the accident, and it has been established by the employer as an Occupational Injury.
- 3.2 The absence from work must be medically certified prior to the application for Occupational Injury Leave.

To be acceptable, a medical certificate must:

- be signed by a duly qualified medical practitioner registered with the Irish/UK Medical Council/Dental Council of Ireland.
- normally cover a period of no more than one week. However, certification for periods of up to one month may be permitted at the discretion of the employer.
- state fitness to work or otherwise.

4. Entitlement to Occupational Injury Leave

4.1 Subject to the terms and conditions of the Occupational Injury Leave Scheme, a teacher may be granted paid leave up to the following limits:

- Maximum of 3 months (92 days) full pay in a rolling 4 year period.

4.2 In exceptional circumstances, such as where a significant period of absence or hospitalisation is required following an injury or where there is a subsequent injury in the rolling 4 year period, Occupational Injury Leave may be extended, subject to approval by the employer. A teacher may be granted extended Occupational Injury Leave up to the following limits:

- Maximum of 3 months (91 days) on full pay, subject to an overall limit of 6 months (183 days) in a rolling 4 year period.

4.3 The period of Occupational Injury Leave includes weekends, school closures, and days on which a teacher is not timetabled for attendance (e.g. job sharers), occurring within the period of absence.

4.4 A teacher who has exhausted the maximum period of paid leave under the Occupational Injury Leave scheme and who is still medically unfit to resume duty may avail of Sick Leave under the Sick Leave scheme, subject to the normal rules of that scheme.

4.5 The period of Occupational Injury Leave will terminate:

- on the date of medical fitness to return to work (as per the medical certificate for the physical injury); or
- on the date of medical fitness to return to work by OHS (if applicable, see paragraph 5); or
- when the leave with pay limits under the Occupational Injury Leave Scheme are exhausted.

4.6 A teacher who returns to work after a period of Occupational Injury Leave, cannot subsequently be granted Occupational Injury Leave in respect of the same injury. Where a teacher has already availed of Occupational Injury Leave, there will be no entitlement to leave under the Leave of Absence following an Assault Scheme for the same accident/injury.

4.7 Absences relating to injuries suffered while travelling to or from the workplace are not eligible to be considered under this scheme unless they relate to the actual discharge of the teacher's duties (including approved school activities).

5. Referral to the OHS

5.1 A teacher who is absent on Occupational Injury Leave for 4 weeks (28 days) continuous or cumulative in a 12-month rolling period of teaching service, must be referred to the OHS.

5.2 The teacher is required to cooperate and engage with the OHS.

5.3 Where a teacher has a continuous absence of 4 weeks (28 days) or more, they must be certified medically fit to return to work by the OHS.

6. Application Procedures

- 6.1 Application for Occupational Injury Leave should be made by the teacher to their employer (or on the relevant ETB system, where applicable) as soon as possible, but no later than one week (7 calendar days) of the injury occurring, using the Application Form at [Appendix A](#) of this Circular. Where a teacher is employed by an ETB, there may be an online facility to make an application for Occupational Injury Leave, rather than completion of the Application Form at Appendix A.
- 6.2 Where in exceptional circumstances, a teacher is unable to complete their part of the application within one week of the injury due to physical incapacity, this period may be extended at the discretion of the employer, but not beyond one month. The teacher must provide their employer with the reason(s) for the initial application delay, at the time of application. This reason(s) will be considered by the employer as part of their decision to approve or refuse the application for Occupational Injury Leave. Whilst the employer is awaiting the teacher's leave application, the terms and conditions of the Sick Leave Scheme may apply.
- 6.3 Where an extension of Occupational Injury Leave is required, as detailed at [paragraph 4.2](#) of this Circular, the teacher must complete the Application Form at [Appendix A](#) of this Circular (or on the relevant ETB system, where applicable).
- 6.4 It is the responsibility of the employer to determine, having considered the completed Application Form and the medical certification provided, whether:
- (i) the injury meets the criteria for the Occupational Injury Leave Scheme,
 - (ii) the eligibility criteria at [paragraph 3](#) of this Circular are met and
 - (iii) the period of Occupational Injury Leave can be granted.
- 6.5 It is the ultimate responsibility of the employer to ensure they are fully satisfied with the information provided in the teacher's Application Form, including the medical certification. Applications for Occupational Injury Leave must only be granted by the employer where they meet the terms and conditions of this Circular.
- 6.6 The employer must inform the teacher in writing if the application for Occupational Injury Leave is being granted or refused, within two weeks (14 calendar days) of the application being received. Where an application is refused, the reasons for refusal must be set out clearly for the teacher. The decision of the employer is final.

7. Recording of Leave

- 7.1 Following the employer's approval of the Occupational Injury Leave, the absence must be recorded by the employer on the OLCS/relevant ETB system in a timely manner.
- 7.2 For schools using the Department's OLCS, Occupational Injury Leave is recorded on the OLCS under 'Personal Leave', sub-category titled 'Occupational Injury Leave' or 'Occupational Injury Leave Extension', as

appropriate. ETB schools must record this leave on their relevant ETB system.

7.3 Interim arrangements for recording of Occupational Injury Leave on OLCS

- a) At publication stage of this circular, “Occupational Injury Leave” and “Occupational Injury Leave Extension” will be under development in the Department.
- b) Pending the availability of the “Occupational Injury Leave” and “Occupational Injury Leave Extension” categories on the OLCS, the following arrangements apply:-
 - i. Email teachersna@education.gov.ie
 - ii. The subject line of the email should read “Occupational Injury Leave: Interim Arrangement”
 - iii. In such cases, the employer must provide the following details to the Department, so that the leave can be recorded on OLCS by Department staff:
 - Teacher’s Name
 - Teacher’s PPS Number
 - Roll No. of school where teacher currently employed
 - The start and end date of the absence
 - Date of accident.

8. Pay Arrangements and Illness/Injury Benefit

8.1 A teacher absent on Occupational Injury Leave may be entitled to claim Illness/Injury Benefit from the DSP, depending on their PRSI contributions. The Paymaster will apply a salary deduction, equivalent to the teacher’s Illness/Injury Benefit rate. It is the responsibility of the teacher to ensure they have claimed the Illness/Injury Benefit directly from DSP to compensate for this deduction. A teacher must submit the letter received from DSP showing the rate which has been awarded or the refusal of illness/injury benefit through the [Customer Query Form](#) Online or to the relevant ETB where they are employed in an ETB school. For further information, please refer to the Department’s [Information Note](#).

8.2 For teachers employed in ETB schools, the teacher should comply with the ETB’s policy on claiming Illness/Injury Benefit.

9. Status during Occupational Injury Leave

9.1 Occupational Injury Leave granted by the employer will not be counted as part of a teacher’s Sick Leave record.

- 9.2 A teacher on Occupational Injury Leave is deemed for all purposes to be in employment at that time. Occupational Injury Leave is fully reckonable for all purposes including seniority.

10. Replacement Teacher

- 10.1 The employer may appoint a substitute teacher, paid by the Paymaster, in accordance with the relevant Department publications, while a teacher is absent on Occupational Injury Leave. The claim for the substitute teacher must be recorded by the employer on the OLCS/relevant ETB system.

11. Occupational Injury Leave and Other Leave Types

- 11.1 A teacher may not have access to two different types of leave at the same time. Where a teacher is availing of statutory leave, in general, they will have no access to Occupational Injury Leave. However, depending on the nature of the statutory leave it may be possible to postpone or suspend the statutory leave (e.g. parental leave). Where a teacher is availing of special leave (e.g. career break) there is no access to Occupational Injury Leave.

12. Employment while on Occupational Injury Leave

- 12.1 A teacher may not be employed, including carrying out substitution work, whilst on Occupational Injury Leave. It would be contrary to the express purpose of the Occupational Injury Leave Scheme, to engage in any activity (e.g. travel abroad, gainful employment or self-employment), which, in the opinion of the OHS, could be regarded as impeding that teacher's progress to recovery. Therefore, approval of the employer must be obtained prior to the teacher engaging in any such activity. The employer must seek the advice of the OHS before deciding on the matter.

13. Leave Entitlements for Fixed Term/Fixed Purpose Appointments

- 13.1 A teacher who is on a fixed term/fixed purpose contract of employment shall, during the term of the contract, have full leave entitlements under the Occupational Injury Leave Scheme. The granting or taking of this leave should not affect a fixed term/fixed purpose appointment or the renewing of such an appointment.
- 13.2 A teacher's entitlement to Occupational Injury Leave shall cease on the expiry of a contract and that contract not having been renewed unless that contract is followed directly by a 'back to back' contract in an approved teaching post funded by monies provided by the Oireachtas.

14. Contact during Leave

- 14.1 It is considered good practice in maintaining a positive wellbeing culture in the school, to have appropriate contact between the employer and the teacher during periods of leave. The nature of this contact should focus on the welfare of the teacher and the facilitation of a successful return to work.

15. Employee Assistance Service

- 15.1 The [Employee Assistance Service](#), 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.

15.2 Supportive resources may include short term counselling (up to six sessions). If the EAS recommends additional short-term counselling sessions with the teacher, the Department can facilitate this request.

16. Correspondence Address

16.1 The employer will address and send all necessary correspondence to the teacher at the personal email/home address last notified. No fault shall lie with the employer in the event that the teacher does not receive such correspondence.

17. Compliance

17.1 Failure to abide by the regulations and procedures set out in this Circular may be dealt with under the agreed disciplinary procedures and may lead to the cessation of salary in the case of teachers and/or withdrawal of substitute cover in the case of schools.

18. Retention of Documentation

18.1 All documentation relating to Occupational Injury Leave must be retained by the employer with the relevant personnel records for 10 years (from the date of the injury) safely and securely and in line with the employer's data protection policy and data protection regulations. These records may be selected for inspection by nominated Department officials. All records should correspond with the data input on the OLCS/relevant ETB System.

Appendix A - Application Form

Occupational Injury Leave

The Application Form should be fully completed and submitted to the employer by the teacher as soon as possible, but no later than one week (7 calendar days) following the injury occurring (other than in exceptional circumstances, see paragraph 6.2), and should be accompanied by medical certification.

Where extended Occupational Injury Leave is required (i.e. where the maximum of 3 months (92 days) in a rolling 4 year period has been exhausted), this Application Form must be completed by the teacher and submitted to the employer as soon as possible.

PART 1A – TEACHER APPLICATION

Teacher's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

School Name: _____ Roll No: _____

PART 1B – DETAILS OF ACCIDENT GIVING RISE TO THE INJURY

1. Date and time of accident: _____

2. Place where accident occurred: _____

3. Brief summary of accident and injury received:

4. Did you previously avail of Occupational Injury Leave because of this accident/injury or another accident/injury in the past 4 years (tick as appropriate)? If Occupational Injury Leave has already been availed of due to the same accident/injury, the application cannot be progressed.

Yes If yes, please provide dates: From: _____ To: _____

No

5. Is this application in respect of (tick as appropriate):

(a) Occupational Injury Leave

(b) Occupational Injury Leave - Extension
(further details at paragraph 4.2 of this Circular)

6. Medical Certificate attached to this Application Form

Declaration

I wish to apply for Occupational Injury Leave in accordance with the Occupational Injury Leave Scheme as set out in Circular 0013/2025 titled '*Occupational Injury Leave Scheme for Registered Teachers employed in Recognised Primary and Post Primary Schools*'.

I confirm that the information provided in the application form 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 Occupational Injury 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 on gov.ie. 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 on gov.ie. Details of this policy are also available in hard copy from Teacher/SNA Terms & Conditions Section, Department of Education, Cornamaddy, Athlone, Co. Westmeath, N37 X659, upon request.

PART 2 – EMPLOYER DECISION

I certify that I have granted/refused (delete as appropriate) the Occupational Injury Leave application, in accordance with Circular 0013/2025 titled '*Occupational Injury Leave Scheme for Registered Teachers employed in Recognised Primary and Post Primary Schools*'. The following documents will be retained for audit purposes:

- | | |
|--|--------------------------|
| 1) Application for Occupational Injury Leave | <input type="checkbox"/> |
| 2) Copy of Decision Notice issued to Teacher | <input type="checkbox"/> |

Where granted, I confirm that (*please tick as appropriate*):

- Granted Occupational Injury Leave has been recorded on the OLCS/relevant ETB system.
- Medical Certificate(s) received, in respect of period of Occupational Injury Leave / Extended Occupational Injury Leave.
- All applicable school policies have been adhered to as per paragraph 2.
- Incident has been recorded in the Incident Report Book.
(*Copy of record attached*)
- All appropriate safeguards have been put in place to protect persons at risk, and to prevent, in so far as is practicable, the re-occurrence of a similar injury.

Where refused, I confirm that (*please tick as appropriate*):

- Reason for refusal has been provided to the teacher on the Decision Notice
- Incident has been recorded in the Incident Report Book.
(*Copy of record attached*)
- All appropriate safeguards have been put in place to protect persons at risk, and to prevent, in so far as is practicable, the re-occurrence of a similar injury.

Commencement date: _____ End date: _____

Signature: _____ Date: _____
(Employer)

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