
Policy Title:	Special Leave of Absence Policy
Description:	Policy outlining how Staff may apply for Special Leaves of Absence including short term unpaid leave of absence, Training with the Defence Forces, compassionate leave and Jury Service.
Author (Position):	Human Resources
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Approved By:	MIE Governing Body
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Special Leaves of Absence Policy

1. Context

Marino Institute of Education (MIE) wishes to ensure that it maintains the highest possible standards in all its activities. This policy document aims to set out clearly how to apply for Special Leaves of Absence and it provides guidelines on timelines.

2. Purpose

To define MIE's policy in regard to special leaves of absence.

3. Benefits

All staff will have a clear understanding of the process and timeframes involved in requesting special leaves of absence.

4. Principles

- 4.1. MIE wants to make Relevant Persons aware of the policy and feel comfortable and confident in requesting Special Leave.
- 4.2. MIE is committed to dealing with the matter in a confidential and timely manner.

5. Definitions

- 5.1. Short term unpaid leave of absence: Periods of less than one year
- 5.2. Leave for Training with Reserve Defence Forces: [Civil Service circular 51/79](#) deals with this matter and should be consulted if cases arise
- 5.3. Compassionate Leave: Where there is a death of an immediate relative. In exceptional circumstances this may extend to the death of a more distant relative.
- 5.4. Jury Service: Absent from work in order to comply with a jury summons.

6. Policy

- 6.1. Short term unpaid leave of absence
 - i. Special unpaid leave shall consist of leave without pay for a period less than one year.
 - ii. The granting of unpaid leave for periods between six months and one year is subject to the recommendation by the relevant Head of Department and formal approval by the President using the [unpaid leave application form](#).

- iii. Special unpaid leave for any period of less than six months is subject to the approval of the Head of Department, Human Resources (HR) and Leadership Team.
- iv. The granting of any application will depend on the merits of the application and on the demands and requirements of MIE at the time of application. There must be no additional costs involved. Consideration must be given to whether the unpaid leave is granted without interruption of service and effect on increments, pensions etc.

6.2. Leave for Training with Reserve Defence Forces

[Civil Service circular 51/79](#) deals with this matter and should be consulted if cases arise.

Briefly, subject to the exigencies of MIE, staff will be facilitated to attend such training courses unpaid. A request should be made to the Head of Department who will consider the matter, and depending on the demands of MIE at that time, agree or reject the request.

6.3. Compassionate Leave

- i. Compassionate leave may be granted to provide staff with time away from work at a time of personal or family need, where there is the death of an immediate relative. The bereaved staff member should inform their Head of Department in the first instance at the earliest opportunity.
- ii. In exceptional circumstances this may extend to the death of a more distant relative where, for instance, the employee has to take charge of funeral arrangements.
 - a. In the case of the death of a partner or child compassionate leave of 20 days will be allowed.
 - b. In the case of the death of an immediate family member (Father, Mother, Grandchildren, Stepfather, Stepmother, Stepchildren, Brothers, Sisters), compassionate leave of up to five days will be allowed.
 - c. In the case of a near relative (Grandparent, Uncle, Aunt, Niece, Nephew, First Cousin, Father-in-Law, Mother-in-Law, Brother-in-Law, Sister-in-Law, Son-in-Law, Daughter-in-Law), compassionate leave of up to three days will be allowed.

- d. Compassionate leave in respect of other bereavement situations will be decided on a discretionary and case by case basis.

6.4. Jury Service

The [Juries Act 1976](#) states:

- i. For the purposes of any contract of service or apprenticeship or any contract collateral thereto (including a contract or agreement entered into before the passing of this [Act](#)), a person shall be treated as employed or apprenticed during any period when he is absent from his employment or apprenticeship in order to comply with a jury summons.
- ii. Any provision contained in any such contract or agreement shall be void in so far as it would have the effect of excluding or limiting any liability of the employer in respect of the payment of salary or wages.

7. Responsibility

The responsibility for maintenance of this policy rests with HR.

8. Related Documents

Contract of Employment

Appendix 1

Unpaid Leave Application Form

Section 1: To be completed by Applicant

Name of Applicant :	Staff Number:
Department:	Email:
Start Date of unpaid leave:	Return to work date:

Purpose of the leave:

I agree to the terms and conditions as laid out in the MIE Special Leave of Absence Policy.

Signature of applicant
Date

Section 2: To be completed by Head of Department.

I recommend that be granted unpaid leave for the duration of
Signature
Please Print Name
Date

Is a replacement required for this post? Y/N

If yes, please specify details below:

Grade:	Duration:
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Please note any vacancies advertised as a consequence of facilitating this leave will be filled on a specified purpose, fixed term contract basis, for the maximum duration of the leave. Please liaise with HR for the filling of any vacancies.

**Section 3: To be completed by the President of MIE
(where leave exceeds six months)**

I note and approve the above unpaid leave as specified above and approve the consequential filling of the vacancy as outlined (if applicable)

Signature
Please Print Name
Date

Please return this form to HR.