



Circular SNA 01/03

Department of Education and Science

To: Boards of Management, Principal Teachers and Special Needs Assistants

Brief Absences

Introduction

The Minister for Education & Science is pleased to advise Boards of Management of schools that arrangements have been made in relation to brief absences allowable to special needs assistants.

1. Compassionate Leave for Special Needs Assistants:

Bereavement involving a family member

Special leave with pay is allowed to a special needs assistant in the event of the bereavement of a family member.

- (a) 5 consecutive days is allowed in the case of a spouse, son or daughter. Spouse also includes a person with whom the special needs assistant is living as husband or wife.
- (b) 3 consecutive days in the case of the death of a father, mother, brother, sister, step-father, step-mother, grandparent.

If the death occurs in the evening (after school hours) the special leave commences from the following day. If the death occurs at the weekend (Saturday/Sunday) the special leave commences from the following day.

Substitution is allowable for the above absences.

2. Force Majeure Leave:

Force Majeure leave allows special needs assistants limited paid time off, where for urgent family reasons, owing to an injury or the illness of a family member, the immediate presence

of the special needs assistant is indispensably required at the place where the family is. This leave cannot be treated as any other leave i.e. sick leave.

Force Majeure leave is limited to a maximum of 3 days in 12 consecutive months, or 5 days in 36 consecutive months. Absence for part of a day is counted as one day of *Force Majeure* leave.

For the purposes of the Act, "family member" is defined as the following: child or adoptive child, spouse or a person with whom the employee is living as husband or wife; a person to whom the employee is in loco parentis, brother or sister, parent or grandparent.

Substitution is allowable for the above absences.

3. Jury Service:

Special leave with pay is allowed to special needs assistants who are summonsed to jury service. The number of days leave granted is that deemed necessary by the court. A copy of the jury service summons must be submitted with the notification sent to the Department.

Substitution is allowable for the above absence.

4. Brief Absences – General:

The **prior** approval of the Chairperson of the Board of Management must be granted for all absences outlined in this circular.

Special needs assistants who require absences in excess of the provisions as outlined in this circular must obtain the prior approval of the Board of Management and the Department of Education and Science and such absences are **unpaid**. Where unpaid leave is sanctioned the Board of Management may employ a substitute. **The Special Needs Assistants Payroll should be informed at the earliest possible opportunity if unpaid leave is being taken.**

Absence for part of a school day on unpaid leave constitutes an absence for a full school day, and absence without reasonable cause and the approval of the Board of Management will involve loss of salary.

This circular should be retained for future reference in the school.

It may also be accessed on the Department of Education & Science website at <http://www.education.ie/> under Education Personnel / Special Needs Assistants.

Please note that queries regarding the Circular may be E-Mailed to sna_pay@education.gov.ie

P. Maloney,
Principal Officer.

April, 2003

Párolla Cúntóir Riachtanís Speisialta,
An Roinn Oideachais agus Eolaíochta,
Cor na Madadh
Baile Átha Luain,
Co. na hIarmhí.



Special Needs Assistants Payroll,
Department of Education & Science,
Cornamaddy,
Athlone,
Co Westmeath.

Notification to Department of Education and Science of a Special Needs Assistant on Force Majeure Leave

Employee's Name: _____

Address: _____

Employee's PPS Number: _____

School Name: _____ Roll Number: _____

Address: _____

Injured/ill person's name: _____

Address: _____

Relationship to employee: _____

Nature of illness/injury: _____

Dates of Force Majeure Leave: _____

Signed:

Special Needs Assistant

Date: _____

Chairperson, Board of Management

Date: _____