



Oifig an Stiúirthóra Náisiúnta, Acmhainní Daonna

Feidhmeannacht na Seirbhísí Sláinte

Ospidéal Dr. Steevens'

Baile Átha Cliath 8

Office of the National Director of Human Resources

Health Service Executive

Dr. Steevens' Hospital

Dublin 8

Tel: 01 635 2319 Email: nationalhr@hse.ie

To: Chief Executive Officer
Each National Director
Each Assistant National Director HR
Each Assistant Chief Finance Officer
Each Hospital Group CEO
Each Hospital Group Director of HR
Each Chief Officer CHOs
Each Head of HR CHOs
Head of HR, PCRS
Each CEO Section 38 Agencies
Each HR Manager Section 38 Agencies
Each Employee Relations Manager
Each Group Director of Nursing & Midwifery
Each Group Director of Midwifery
Each Clinical Director
Director National Ambulance Service

From: Anne Marie Hoey, National Director Human Resources

Date: 16th November 2020

Re: HR Circular 064/2020 Special Leave with Pay for COVID-19 Premium Payments

Dear Colleagues

Following an engagement process under the auspices of the Workplace Relations Commission (WRC), it has been agreed that the following arrangements will apply to public health service employees who are eligible for Special Leave with Pay for COVID-19 and normally receive unsocial hours premium payments based on their roster.

The calculation of Special Leave with Pay for COVID-19 will reflect an employee's average premium payments, subject to the employee satisfying specific conditions which are set out below.

This arrangement applies with effect from 13 March 2020.

1. Conditions for eligibility

- (i) Special leave with pay for COVID-19 will only apply when an employee is advised to self-isolate **and** is displaying symptoms of COVID-19, or had a positive test. Appropriate medical/HSE confirmation/advice of the need to self-isolate and/or a diagnosis of COVID-19 will be required.
- (ii) Special leave with pay only applies to periods of medically/HSE recommended self-isolation, and also to medical diagnoses of COVID-19 infection where the employee is not well enough to work from home. The HSE sets out the latest criteria for self-isolation [view here](#). Special leave with pay to eligible employees will apply for the number of days advised by the HSE/doctor. An employee is required to adhere to medical or HSE advice.
- (iii) In cases where an employee who meets the standard eligibility criteria for Special Leave with Pay for COVID-19, as outlined above, was required by their employer to work onsite at any stage during the 14 days preceding the first day of sickness absence, the calculation of Special Leave with Pay will include an amount to reflect the loss of unsocial hours premium payments arising from the absence. This refers to payments which are based on an employee's rostered hours of work and vary depending on the roster worked in a specific period. It excludes overtime payments with the exception of regular and rostered overtime payments.
- (iv) The methodology for determining this element of Special Leave with Pay will be based on an average of the employee's unsocial hours premium payments over the **6-week period** immediately prior to the commencement of the employee's absence.
- (v) This special arrangement in relation to inclusion of premium payment does not apply to any employee who does not satisfy all the conditions set out in (i) to (iii). Those employees who are not eligible include (but are not limited to) the following:
 - Employees who were not required by their manager to work onsite during the 14 days preceding their absence
 - Employees who are working from home on a temporary basis during COVID-19
 - Employees who are identified as being at very high risk (extremely vulnerable), are cocooning and working from home on a temporary basis due to COVID-19
 - Employees who were not rostered/scheduled to work during the 14 days preceding their absence
 - Employees who were on any type of leave throughout the 14 days preceding their absence and therefore were not rostered to work onsite
 - Employees who fall under the category of being required to restrict their movements due to COVID-19. Employees in this category are not eligible for Special Leave with Pay for COVID-19 and must be facilitated to work from home during this period.

2. Retrospective application

This arrangement will also apply retrospectively with effect from **13 March 2020** to employees who were eligible to receive Special Leave with Pay for COVID-19 and who satisfy the specific conditions for inclusion of premium payments.

In the case of NCHDs who changed their employment during the July 2020 changeover, and whose absence on Special Leave with Pay for COVID-19 preceded their change of employment, the retrospective provisions will apply to the employee in their current work location and the additional payment due will be made by their current employer.

Please note that this Circular should be read in conjunction with the latest version of the HSE Circular on the DPER FAQs, which is updated at regular intervals to reflect new guidance. The latest version of the Circular/DPER guidance is available [here](#).

Please ensure that this Circular is brought to the attention of managers within your area of responsibility.

Queries

Queries from individual employees or managers should be referred to local HR/Employee Relations Departments. Please note that the National HR Helpdesk is also available to take queries from employees on 1850 444 925 or ask.hr@hse.ie

Queries from HR/Employee Relations Departments on this Circular may be referred to Anna Killilea, Corporate Employee Relations, HR Directorate, 63-64 Adelaide Road, Dublin 2. Tel: 01 6626966, Email: anna.killilea@hse.ie

Yours sincerely



Anne Marie Hoey
National Director of Human Resources



“To view the Health Services People Strategy 2019 - 2024 please click [here](#).”

Need information and advice on COVID-19 Go to www.hse.ie/coronavirus