

## LEAVE FOR PART TIME TEACHERS

### INTRODUCTION

The Part Time Workers Regulations (Prevention of Less Favourable Treatment) Regulations 2000 make it unlawful to treat part-time workers less favourably than their full-time counterparts. This means that part-time teachers are entitled to the same entitlements to leave, on a pro-rata basis, as a full-time teacher and should therefore receive a proportion of that leave based on their contracted hours of work.

### NEED FOR ADJUSTMENTS

A full-time teacher is paid the annual salary for their scale point and has a working year of 195 days per school session. The annual leave entitlement for a full-time teacher is the balance of days beyond the working year (normally 66 days).

A part-time teacher will receive the pro-rata proportion of the annual salary based on the number of days/hours per week they work. They should therefore actually work that same proportion of 195 days and correspondingly should receive the same proportion of the annual leave entitlement. For example, a teacher working 1 day per week (0.2FTE) should work  $0.2 \times 195$  days (39 days) over the school session and will receive paid leave of 0.2 of the full leave entitlement (normally  $0.2 \times 66$  days = 13.2 days). It is noted that where require annual leave is taken from normal working days and no payment in lieu is made, as detailed below

However, the placement of certain occasional holidays within the overall scheme of school holidays, when set against the working pattern of individual part-time teachers, can result in the prospect of those teachers receiving less (or more) leave than their entitlement. In those circumstances, there will be a need for adjustment to achieve the pro-rata position, either by taking additional leave or working additional days/hours.

### IMPLEMENTATION OF ADJUSTMENTS

To ensure each part-time teacher is working the correct number of days/hours in the school session, Head Teachers will be provided each August with information on the position of part-time teachers on their staff (i.e. with the result of the calculation of their leave position for the coming session, detailing the excess or deficit of leave). Head Teachers will be required to discuss and reach agreement with each teacher, as to when the adjustment of additional leave will be taken or extra days/hours will be worked. The timings of such adjustments will be subject to the exigencies of the service.

The information provided to Head Teachers will include the pro-rata share of leave for job-sharers working in the school, proportionate to the mutually agreed division of hours/days for the job-shared post. Any adjustments required will be arrived at in accord with paragraph 5.3(d) of Circular DNCT/12: Job Sharing Scheme for Teaching Staff, reproduced below\* for ease of reference.

## **SCOPE AND DATE OF IMPLEMENTATION**

This arrangement will commence from the 2008/09 school session and will apply to part-time teachers and music instructors working on a contract for a year or more. In circumstances of contracts of less than a year the adjustment will be provided for in the leave calculation at termination and will not require to be planned for as above.

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Joint Secretaries

\* DNCT/12: Paragraph 5.3(d)

The annual leave entitlement for job-sharers will be a pro-rata share of the entitlement for full-time employees. Public and occasional local holidays will normally be taken as they occur but where the working arrangements for a job share will result in a disproportionate sharing of these holidays, then discussions should take place between the head of establishment and the job sharers to agree mutually acceptable adjustments to achieve the pro rata share. Where possible, such discussions should take place at the start of each school session.