

Scheme of Conciliation and Arbitration
eircom Ltd

Joint Conciliation Council (JCC) Report No. 631

Newly Revised and agreed eir A/L Policy for 2020 – Covid 19

COVID -19 – CHANGES TO ANNUAL LEAVE PROCESS

The following document details changes to Annual Leave entitlements and process to be followed for the duration of this leave year 2020.

This process applies to all employees of the eircom group, permanent or fixed term. It does not apply to agency workers, consultants or contractors of the eir group.

As the situation regarding COVID-19 and public health guidance is constantly evolving, eir reserve the right to review and amend this policy at its discretion. This policy does not form part of your contract of employment.

The Annual Leave Policy will continue to apply save where amended by this document.

All entitlements stated below will be rounded up or down to the nearest whole day.

COVID-19 ANNUAL LEAVE POLICY

1. Contractual Annual Leave Entitlements

All employees are required to take at least 60% of their contractual annual leave entitlement¹ for this leave year by 30 September 2020.

Worked Example

John has 22 days contractual annual leave for 2020. 60% is 13.2 days and rounded down to 13 days. He must use at least 13 days between now and 30 September 2020.

2. Carry Over Leave

Any leave days from 2019 which have been approved for carry over to 2020 must be used in accordance with the Annual Leave Policy i.e. before 30 June 2020. The carried over leave is in addition to the 60% requirement above. Any carried over leave from 2019 that is not used before 30 June 2020 will be forfeited.

¹ Employees returning from protective leave e.g. maternity leave before 30 September 2020 are required to comply with the 60% requirement in the same manner. Employees returning from protective leave between 1 September 2020 and 31 December 2020 are required to take 60% of leave accrued to them in 2020 leave year up to date of return to work before returning to work. The 60% requirement is in addition to any accrued but untaken days from 2019 leave year and those 2019 days will also need to be taken before returning to work.

If an employee is using a mix of carried over leave and contractual annual leave, the carried over leave will be deducted first.

Worked Example

Jane has 22 days contractual annual leave for 2020 and she has carried over 3 days from 2019. Jane must use 16 days by 30 September 2020 with 3 of those days (carried over leave) to be taken before 30 June 2020.

In respect of leave year 2020 only, an employee may carry over a maximum of 10 contractual annual leave days to 2021 provided that they have complied with the 60% requirement before 30 September 2020 and subject to approval. 5 of these days must be used before 30 June 2021 with the remainder to be used before 31 December 2021. The previous limit for carry over leave is superseded by this policy in respect of 2020 leave year only. Employees who wish to carry over days for use in 2021 must apply for approval to carry over in the usual manner. Any carried over days not used by end December 2021 will be forfeited.

Worked Example

Jim has 28 days annual leave for 2020. He uses 17 days annual leave before 30 September 2020. He has 11 days left to take for remainder of 2020 but he only manages to take 4 days at Christmas. He has 6 days left for 2020 but cannot take them in 2020. Jim can carry over the 6 days to 2021 and must use 5 of them before 30 June 2021 with the remaining day to be used before 31 December 2021. This carry over leave will be in addition to his 2021 leave days.

3. Annual Leave Purchase Scheme

Any additional annual leave days purchased for 2020 must be used in accordance with the Annual Leave purchase scheme policy i.e. used by 31 December 2020. Any purchased annual leave days are also in addition to the 60% requirement above and cannot be carried over to 2021.

Worked Example

Joan has 22 days contractual annual leave days and she purchased a further 3 days under the annual leave purchase scheme. Joan must use 13 days before 30 September 2020 and her 3 purchased days must be used before 31 December 2020. Joan can carry over her 9 remaining leave days to December 2021 and must use at least 5 of these carried over days before 30

June 2021 and the remaining 4 days before 31 December 2021 in addition to her 2021 leave entitlements.

If you no longer wish to participate in the Annual Leave Purchase scheme, you must still use the leave days which you have already purchased in line with the scheme otherwise they will be forfeited.

Application Process

Employees should follow normal approval process for annual leave requests with their line manager. As always, all requests are subject to manager discretion taking into account any operational, rostering and business requirements.

Nothing in this policy affects your statutory entitlements under the Organisation of Working Time Act 1997.

Glossary

Contractual Annual Leave means the number of annual leave days that an employee is entitled to under their contract of employment with eir.

Carry Over Leave means the unused leave days from 2019 for which an employee received approval to carry over for use in 2020.

Purchased Leave means the leave days which an employee purchased under the Annual Leave Purchase Scheme and which are additional to Contractual Annual Leave and Carry Over Leave.