

## DEPARTMENT OF EDUCATION AND SKILLS

### FORM FOR PAYMENT IN RESPECT OF NON-CASUAL FIXED TERM SUBSTITUTE ABSENCE

This form should be used to claim payment for the absence of any non-casual substitute teacher, where they have an entitlement to paid leave in respect of that absence (i.e. a teacher who has or will work 150+ hrs in a school year), for example where a teacher is substituting for another teacher on maternity leave or on long-term sick leave where a return date for the absent teacher has not been defined.

#### Notes for completing the form

##### **What is a non-casual substitute?**

A teacher (either full-time or part-time) who is employed under a contract which obliges him or her to work in a school for a period in excess of 150 hours during the school year, or in the case of a national teacher in excess of 40 working days during the school year.

A teacher (either full-time or part-time) who is not employed pursuant to a contract referred to above but who works for a period in excess of 150 hours in a school during the school year, or in the case of a national teacher in excess of 40 days in a school during the school year.

##### **What is this form for?**

This form is used to record an absence (through illness or an approved leave type) of a non-casual substitute teacher and to claim payment for the purpose of ensuring that they continue to receive their entitlements while absent.

##### **Can this form be used for Casual Substitutes?**

No, this form cannot be used for casual substitutes.

##### **What absences are permitted for a non-casual substitute teacher?**

A teacher working as a non-casual substitute, is for the purposes of the Protection of Employees (Fixed Term Work) Act 2003 regarded as a fixed term worker. Under the Act, a fixed term worker is entitled to the same terms and conditions of employment as a comparable permanent employee, unless there is an objective reason for not granting such an entitlement. In addition, where the substitute is employed on a part-time basis such entitlements may be granted on a pro-rata basis.

In general, the termination of the employment relationship, marks the end of any obligation on the part of the employer to a teacher in respect of terms of employment. For example, a teacher's entitlement to paid maternity/adoptive leave shall cease on the expiry of the fixed-term contract and that contract/employment not having been renewed. Where the fixed-term contract is renewed by a succeeding contract, maternity/adoptive leave will continue, as shall the entitlement to pay, up to the limit imposed under the maternity/adoptive leave scheme or the expiry of the succeeding contract, whichever is sooner.

Absence entitlements are governed by the terms of the relevant circular(s) in respect of the taking of such leave and include:

Sick Leave (Certified and self-certified)  
Maternity Leave  
Force Majeure Leave  
Bereavement Leave  
Adoptive leave  
Paternity Leave  
In-service leave for approved courses

The substitute teacher is also entitled to unpaid leave on the same basis as a comparable permanent teacher

##### **Who Completes this form?**

The substitute teacher who is taking a leave of absence should complete parts two and three of this form and return it, together with the relevant supporting documentation, to their principal who will complete the form and return it to:

##### **Primary Schools**

Primary Payroll, Department of Education and Skills, Cornamaddy, Athlone.

##### **Post Primary Schools**

Post Primary Payroll, Department of Education and Skills, Cornamaddy, Athlone.

**DEPARTMENT OF EDUCATION AND SKILLS**

**FORM FOR PAYMENT IN RESPECT OF NON-CASUAL FIXED TERM SUBSTITUTE ABSENCE**

**PART 1 - SCHOOL AND SUBSTANTIVE POST HOLDER DETAILS**

Name of School	<input style="width:90%;" type="text"/>	Roll No:	<input style="width:90%;" type="text"/>
School Address	<input style="width:90%;" type="text"/>		
	<input style="width:90%;" type="text"/>		
	<input style="width:90%;" type="text"/>		
Name of Teacher On approved leave of absence e.g. substantive post holder	<input style="width:90%;" type="text"/>	Payroll No.	<input style="width:90%;" type="text"/>
Approved Leave Type e.g. Sick Leave, Parental, Maternity Leave etc.	<input style="width:90%;" type="text"/>		

**PART 2 - SUBSTITUTE TEACHER'S DETAILS**

Substitute Teachers PPS No.	<input style="width:90%;" type="text"/>	Payroll No.	<input style="width:90%;" type="text"/>
Substitute Teachers Name	<input style="width:90%;" type="text"/>	Registration No.	<input style="width:90%;" type="text"/>
Start Date of Employment	<input style="width:90%;" type="text"/>		
End Date of Employment *	<input style="width:90%;" type="text"/>		

\* No payments will issue in respect of absences that occur after the employment end date

**Please submit the following with this application:**

1. a copy of this teacher's signed contract / appointment form / letter of appointment.
2. a signed Form of Authorisation for Illness Benefit\*

*\* A non-casual substitute teacher only needs to submit this relevant form once.*

3. relevant Department of Social Protection Benefit Form for completion by the Department of Education e.g. MC1, MB10 etc. (available from GP and/or Department of Social Protection Office)

**PART 3 - DETAILS OF SUBSTITUTE TEACHER'S ABSENCE**

Type of Absence	Date From	Date To	Hours Scheduled to teach

Certified By Substitute Teacher Absent \_\_\_\_\_ Date \_\_\_\_\_  
 Signed \_\_\_\_\_

Authorised For Payment By Principal \_\_\_\_\_ Date \_\_\_\_\_  
 Signed \_\_\_\_\_

Please submit form as soon as possible to ensure payment.

Form to be submitted to: Primary / Post Primary Payroll, Department of Education and Skills, Cornamaddy, Athlone.