



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

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**To: Each Member of the Directorate and Leadership Team
Each Assistant National Director HR
Each Hospital Group CEO
Each Hospital Group Director of HR
Each Chief Officer CHO
Each CHO HR Manager
Each Employee Relations Manager
Each CEO Section 38 Agencies
Each HR Manager Section 38 Agencies
Each Group Director of Nursing & Midwifery
Each Group Director of Midwifery**

From: Rosarii Mannion, National Director Human Resources

6th June, 2018

Re: HR Circular 017/2018 re Principles governing arrangements for Leave and Recognition arising from the effects of Storm Emma and Storm Ophelia

Dear Colleagues,

Arising from discussions with trade union representatives and HSE Leadership, approval arrangements have been agreed and sanctioned in relation to Leave and Recognition for staff during recent "Red Weather" events related to Storms Emma and Ophelia. The arrangements have been agreed to recognise the heroic efforts of staff who reported for work to maintain vital services in extreme weather conditions and to record arrangements for those who could not attend their place of work.

A joint union/management working group will be established to develop a protocol / policy to govern arrangements for Red Weather events in the future.

Please find attached as Appendix A the details of Leave and Recognition arrangements pertaining to the recent Red Weather events. Appendix B contains governance guidelines for managers in the processing and recording of these arrangements.

Please ensure this Circular is brought to the attention of all relevant managers in your area of responsibility for action.

Queries

Queries from individual employees or managers regarding these arrangements should be referred to local HR Departments / Employee Relations Department.

Any queries in relation to this circular should be directed to Mr Morgan Nolan, Corporate Employee Relations Services, 63-64, Adelaide Road, Dublin 2 or by e mail to morgan.nolan@hse.ie

Please note that the National HR Help Desk is also available to take queries on 1850 444 925 or ask.hr@hse.ie

Yours sincerely,

**Rosarii Mannion,
National Director of Human Resources.**

Principles governing arrangements for Leave and Recognition arising from effects of Storm Emma

1. **Arrangements for those who could not attend work on Wednesday 28th of February, Thursday 1st and Friday 2nd (up to 9am Saturday 3rd) of March 2018:** One day paid Emergency Leave will be granted for each of these dates (three days in total). If a staff member was prevented from attending work outside of these dates (Saturday 3rd or Sunday 4th March) annual leave must be taken, unless the scheduled attendance at work was cancelled by local management. If a scheduled attendance at work was cancelled by local management, no leave is owing from the employee.
2. **Arrangements for those who attended work on Wednesday 28th of February, Thursday 1st and Friday 2nd (up to 9am Saturday 3rd) of March 2018:** One day TOIL will be granted for each day worked on these dates (three days in total).
3. **Arrangements for those who were requested to present to the work place prior to the beginning of their shift (see Table A below) from Thursday 1st of March to Sunday 4th of March:** To acknowledge the efforts of this category of staff the following arrangements shall apply:

Table A

Early arrival	Acknowledgement
0-1 Hour before rostered start	€0
Greater than 1 hour but less than 4 hours before rostered start	€38.20
Greater than 4 hours before rostered start	€76.40

4. **Arrangements for those who either stayed on site or in accommodation paid for by their employer (see Table B below for details) from 20:00 on Wednesday 28th of February to 08.00 Sunday 4th of March 2018:** To acknowledge the efforts of staff who remained onsite or in accommodation provided by their employer and provided cover and who kept vital services going during the above defined period the following arrangements shall apply:

Table B

For each incident the employee will receive an acknowledgement of €76.40, an incident is a period per calendar day.
Example 1: An employee was rostered to start at 08:00 and to finish at 20:00 on Thursday 1st of March. This employee was asked by management to stay on and to work the 08:00 to 20:00 shift on Friday 2nd of March and was given accommodation in a local B&B. This employee would receive an acknowledgement of €76.40 in addition to costs for their accommodation including evening meal.
Example 2: An employee was rostered to start at 20.30 Thursday 1st of March and to finish at 08:30 on Friday 2nd of March. This employee was requested by management to stay on and to work the Night shift on Friday 2nd and Saturday 3rd of March and was given accommodation in the unit. This employee would receive an acknowledgement of €76.40 x 2 = €152.80

5. **Arrangements for those who worked above their rostered hours:** Employees who were requested by management to work beyond their normal rostered hours will have all such hours paid at the appropriate overtime rates for the grade.

6. **Arrangements for reimbursement of vouched accommodation expenses:** Employees who were requested by management to book into accommodation will have the accommodation costs, (B&B basis) including the cost of one evening meal, reimbursed. Claims for compensation should be produced and addressed locally.
7. **Arrangements for resolving any disputes arising from implementation of these arrangements:** A joint management/staff representative dispute resolution process will be established to address any grievances that arise from the implementation of these arrangements.
8. **Staff whose work is rotational in nature** and have an entitlement to the provisions set out above and are unable to avail of that entitlement in the current location may carry the entitlement to their next employment location.
9. Where more favourable local arrangements have already been put in place they will continue to apply.
10. A joint management/staff representative group will be established to oversee the implementation of this agreement. Any queries should be advanced to Mr John Delamere CERS Adelaide Road.
11. **Arrangements for future adverse weather situations:** It is agreed by the Parties that these arrangements do not set any precedent for any potential future adverse weather situations and cannot be quoted, by either side, in pursuit of any claim for past or future adverse weather situations. A joint management/staff representative working group will be established to develop and agree a protocol for dealing with any potential future adverse weather situations. This protocol will be finalised no later than 31st of August, 2018.

In regard to storm Ophelia on the 16th October 2017, those who were unable to attend work, or had to leave their place of work for health and safety reasons, were paid for the hours which they were scheduled to work, without having to take annual leave or other form of leave, in respect of the hours which they were unable to work. It is acknowledged that a significant number of staff were required and did attend for work, to ensure that critical services were delivered to the public. Local arrangements should therefore, be agreed to recognise their required attendance on the day, and appropriate time or leave be credited to staff for time worked on 16th October 2017.

Governance Guidelines for managers

- Annual leave and TOIL: For those who could not attend work safely during the reference period, HSE and Section 38 employers are required to record the taking of emergency leave for the Red Weather Warning dates.
- In relation to those who attended work during the warning period, management must keep a record of the times and dates attended, in order to be able to demonstrate that only eligible employees availed of TOIL. Employers must ensure that the taking of TOIL is recorded so that it may be audited in the future.
- Accommodation and subsistence expenses (maximum one evening meal) accrued by staff who provided a 'stay-over' service during the reference period will be reimbursed by their employer, upon production of a valid invoice/receipt. It is expected that a reasonable approach to claiming and authorising payment will prevail.