

File ref: E109/103/97

22 September 2010

Circular 11/2010: Amendment to Circular 31/2001: Civil Service Worksharing Scheme on the duration, review and modification of worksharing arrangements.

A Dhuine Uasail

1. I am directed by the Minister for Finance to refer to Circular 31/2001: Civil Service Worksharing Scheme. The Circular identifies the need for a flexible approach on the part of both management and those participating in the scheme. This flexibility in the operation of the scheme is necessary, not only where a person proposes to move to a worksharing arrangement for the first time, but throughout the period of worksharing.

2. Management or staff may seek worksharing patterns to be varied for a variety of reasons

- a need to meet new or changed business demands
- a need to meet requests for worksharing by other persons
- a need to facilitate mobility and development
- a need to adjust or change patterns in order to reflect personal circumstances

Any proposal for change to current work patterns will be subject to management and budgetary constraints, including Government policy on numbers employed.

3. Discussions on changes to worksharing arrangements may be instigated by either management or the individual and it is expected that both sides will adopt a reasonable approach to meet each other's needs. This is subject to the principle that the implementation and operation of the scheme is at the discretion of management, in the light of operational needs, and that management reserve the right, on reasonable

business grounds and with reasonable notice in the circumstances, to require a person to vary their worksharing arrangements, or to resume full time work.

4. In order to underpin this flexible approach, Paragraphs 7.1 and 7.2 of Circular 31/2001 are replaced by the following:

“7. Duration, review and modification of arrangements.

7.1 The minimum period for which a person may opt to workshare in a particular pattern is 12 months. The officer and the individual’s manager must formally review the worksharing arrangements at the end of the initial period of 12 months and at least every 12 months thereafter (or earlier if necessary). This review can take place in the context of business planning for the following year, or at any other appropriate time. It should consider the needs of the service and the personal responsibilities and obligations of the officer concerned. Following the initial or annual review, the worksharing patterns must be confirmed or varied, including a resumption of full-time work. The manager and the officer must confirm to the Personnel Section that the review has taken place. Any change in the hours will be subject to the consent of the Personnel Section.

7.2 Staff may move periodically for operational or development reasons. In these circumstances a review of the worksharing arrangements with management in the receiving area must take place in advance of the move. This review should consider the business needs of the area and the personal responsibilities and obligations of the officer concerned. Any person who is required to move between Departments, e.g. under a Last In First Out arrangement, may retain their existing arrangements on a personal basis for at least three months (which may be extended up to six months at the discretion of the Department) from the date of commencement in the new Department, during which they must review their arrangements with management of the receiving area. Following review, the worksharing arrangements must be confirmed or varied, including resuming full-time work, as may be necessary in light of the business needs of the area and/or the Department. The review should consider the business needs of the area and the personal responsibilities and obligations of the officer concerned. The manager must confirm to the Personnel Section that the review has taken place. Any changes in the hours of the person’s worksharing arrangements will be subject to the consent of the Personnel Section and any changes will be implemented on an agreed basis.

7.3 Where a person’s worksharing arrangement is considered by management to be unsatisfactory, whether in the light of the business needs of the area and/or of the Department or for other substantial grounds, the worksharer may be required, by direction of management and subject to the consent of the Personnel Section, to alter, either temporarily or permanently his or her attendance pattern, to increase his or her attendance or to resume full-time duties. Where a worksharer is required to alter his or her attendance pattern, he or she should be informed of the reasons for the proposed change in attendance pattern. Ideally, management should give at least six weeks notice before the change in attendance pattern must begin. Similarly, a person participating in the scheme may apply to return to full-time work or alter his or her attendance pattern where it no longer reflects his or her personal responsibilities or choices.

Paragraph 7.3 Of Circular 31/2001 still applies

“A person who resumes full-time working other than on promotion or as directed by management may not recommence worksharing within twelve months of such resumption, except at the discretion of management”.

5. Paragraph 19 of Circular 31/2001 is replaced by the following:

“19. Applications to vary arrangements or return to full-time employment.

19.1 As set out in paragraph 7.1 an officer who has worked a particular pattern for at least 12 months may apply to vary his or her arrangements or return to full-time duties. Any change in the hours or a person’s worksharing arrangements must be considered in the light of the business needs of the area and/or Department and the personal responsibilities and obligations of the officer concerned. Any change or variation in hours of attendance will be subject to the consent of the Personnel Section.

19.2 Where a Department cannot accommodate, within a reasonable period, a request to vary arrangements or resume full-time working, for operational reasons due to budgetary or staff number constraints, whether in that grade or location¹ generally, or for other substantial grounds, the person should be informed of the reason(s). Departments may, in any case where a request cannot be accommodated, invite the individual to modify his or her application to one that can be accommodated. Consideration may also be given to requesting other worksharing individuals in that area to modify their attendance arrangements. An officer may indicate to the Personnel section in his or her parent Department that he or she does not wish to be considered for a vacancy elsewhere.

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Assistant Secretary

¹ In the context of this circular, “location” means geographic area, with the Dublin area being treated as one such location (save any change to such arrangements made in accordance with a collective agreement negotiated with the staff side).