

Circular Title: Revision of Working Hours and Flexible Working Arrangements for Civil Servants

I am directed by the Minister for Public Expenditure and Reform to convey the following instructions in relation to additional working hours and amendments to flexible working arrangements (flexitime) in the Civil Service.

Circular Number: 11/2013

Purpose: To provide instructions on the application of additional working hours and amendments to flexible working arrangements (flexitime) in the Civil Service

Status: This Circular amends certain provisions of the following:

- Circulars - 16/64, 21/1971, 41/1971, 22/1972, 25/1972, 19/1991
- Relevant General Council Agreed Reports relating to Flexitime
- Relevant Letters to Personnel Officers

Circular Application: To all civil servants

Relevant Employment Law: Civil Service Regulation Acts 1956-2006,
Organisation of Working Time Act 1997

Effective Date: 1 July 2013

Responsibility for Implementation: HR Units/Heads of Department/line managers and civil servants

INTRODUCTION

1. I am directed by the Minister for Public Expenditure and Reform to convey the following instructions in relation to:
 - (a) Additional working hours
 - (b) Changes to flexible working arrangements (flexitime).
2. The provisions in this Circular apply to all civil servants. However, paragraphs 4, 8, 14, 15, 16, 24 and 25 will apply only to civil servants in grades covered by a collective agreement registered with the Labour Relations Commission.

ADDITIONAL WORKING HOURS

3. The standard working hours of civil servants will increase as follows:
 - Those with a working week of 35 hours or less (net of rest breaks) will increase to a minimum of a **37 hour week**
 - Those with a working week that is greater than 35 hours but less than 39 hours (net of rest breaks) will increase to a **39 hour week**
 - Working hours of those currently with a net working week of **39 hours or greater** will remain the same.
4. The implementation of additional hours will be on the basis of the following phased arrangement:
 - The first 2 hours and 15 minutes will be implemented from 1 July 2013
 - Any remaining liability will be implemented from 1 July 2015.

Normal attendance period

5. The normal attendance period for civil servants will be from 9.00am to 5.45pm Monday to Thursday, and 9.00am to 5.15pm on Friday with 1 hour and 15 minutes for lunch break.
6. The majority of civil servants will now be working 37 hours net per week. For those not on 37 hours net per week, adjustments will need to be made to the above attendance period by local management.
7. No additional annual leave entitlement will accrue with the additional working hours.

Option to remain on current hours

8. A civil servant may, with the agreement of management, opt on an individual basis to remain on their current hours with appropriate pay adjustments for a period. This period will end no later than 30 June 2014 unless otherwise agreed with management. Reduced hours will be treated as a worksharing arrangement and will be subject to the rules governing the Worksharing Scheme.

Accumulated hours

9. Flexibility in the use of the extra hours may be required in the form of attendance outside of the normal attendance period in some areas. This may include the option, in some instances where required for business needs, to accumulate additional hours so that staff in a particular

area may work a reduced per week pattern over a period but owe the additional hours to be utilised to cope with peak work requirements in another period, including outside of normal attendance periods/days.

10. Extra hours worked will be deployed and may be aggregated on a daily, weekly or annual basis as best meets the organisation's service demands.
11. Saturday will not be a normal working day, in the context of accumulated hours, but it could, in certain circumstances, be utilised to cope with cases of peak work requirements, subject to the consultation process outlined below. There are no circumstances in which a requirement to attend on Sunday will arise, other than in accordance with overtime or other arrangements.

Accumulated hours – workplace consultation

12. The introduction of accumulated hours will be the subject of detailed consultation at workplace level. It is envisaged that it will be possible to identify the attendance patterns at the start of the calendar year and that workplace consultations will commence at least eight weeks before any accumulated hours are utilised.
13. This consultation will include discussion on the number of flexi periods designated for the use of accumulated hours and the maximum additional hourly requirement in any flexi period. A norm of two consecutive designated flexi periods and of eight additional hours in a flexi period (where the standard week is 37 hours) will apply unless otherwise agreed.
14. Agreement shall be reached in these consultations on the maximum hours to be accumulated and the period(s) over which they will be worked.
15. If agreement on the use of the accumulated hours cannot be reached in any particular case, the binding dispute resolution provisions of any relevant collective agreement will be utilised.

Accumulated hours arrangements – pilot and review

16. Any arrangements in relation to accumulated hours will be introduced on a pilot basis initially and reviewed after a period of six months in operation. This review will encompass the impact of the arrangements on the work/life balance issues for the staff involved.

FLEXIBLE WORKING ARRANGEMENTS (FLEXITIME)

17. Flexible working arrangements (flexitime) in the civil service are now revised to take account of the additional working hours.
18. Management has the responsibility and the right to actively manage flexible working arrangements (flexitime) in their organisations to ensure that Departments/Offices can meet their business needs across the full working day. Flexitime is only possible as long as it supports and enhances the efficient operation of Departments/Offices. In particular, all areas must always be appropriately staffed during the working day, including lunch breaks; all arrangements must ensure that this is consistently the case.
19. The current flexitime system will be subject to the following amendments to net hours:

- Daily hours will increase to 7 hours 24 minutes (from 6 hours 57 minutes)
- Half day (morning) will increase to 3 hours 42 minutes (from 3 hours 30 minutes)
- Half day (afternoon) will increase to 3 hours 42 minutes (from 3 hours 27 minutes)
- Weekly hours will increase to 37 hours (from 34 hours 45 minutes)
- Flexi period hours will increase to 148 hours (from 139 hours).

20. Any necessary amendments to core time bands to reflect the additional working hours and to meet business needs will be subject to detailed consultation at workplace level.

Changes to flexi leave

21. With effect from 1 July 2014, the maximum amount of flexi leave allowed in any flexi period is one day.
22. There is no change to the existing number of hours that can be carried over.

Grades affected

23. Flexitime will only be available for staff up to Higher Executive Officer (HEO) grade and its equivalents in the Civil Service, as appropriate.
24. Assistant Principals (APs) and their equivalents in the Civil Service will not have access to flexitime unless, on 30 June 2013, they already have access to this arrangement.
25. APs and their equivalents that have access to flexitime on 30 June 2013 will retain it on a personal basis for as long as they remain in the same grade and are employed in an organisation that has access to flexitime for APs.

IMPLEMENTATION

26. HR Units should communicate this policy to all civil servants in their Department/ Office. This policy is also available on www.circulars.gov.ie and will also be available on request from your HR Unit or the PeoplePoint Portal <http://peoplepoint.gov.ie>.
27. Queries in relation to this Circular should be addressed to your HR Unit.

Patricia Coleman
Director
14 June 2013