



Circular Letter 0043/2021

To: The Chief Executives of Education and Training Boards

**Coronavirus (COVID-19):
Arrangements for Staff other than Teachers and Special Needs
Assistants who are employed in ETBs**

The Minister for Education directs you to implement the special arrangements to cater for COVID-19 for staff other than teachers and special needs assistants (SNAs) employed in approved posts funded by monies provided by the Oireachtas.

These special arrangements are to be implemented by each employer with immediate effect and all staff must adhere to the arrangements.

The general principles to apply to the management of COVID-19 include the safety and welfare of employees and the minimisation of the impact on teaching and learning. Employers will need to consider how best to deploy employees to facilitate the delivery of educational services.

The Government's [Work Safely Protocol](#) published on 14th May, 2021 is a revision of the Return to Work Safely Protocol to reflect the Government's Plan for Living with COVID-19. The revised Protocol incorporates the current advice on the Public Health measures and sets out the measures required in the workplace to prevent the spread of COVID-19, to facilitate the re-opening of workplaces following temporary closures and the ongoing safe operation of those workplaces. Employers must ensure that all work premises have implemented robust pre-return to workplace procedures and that all procedures comply with the Work Safely Protocol.

This Circular supersedes Circular 0031/2021 titled 'Coronavirus (COVID-19): Arrangements for staff other than Teachers and Special Needs Assistants employed in ETBs'. The changes are in the following areas:

- Data Protection
- Restricted Movement and Travel Advice
- Higher Risk Groups and Pregnant Staff in Certain Settings

Please ensure this Circular is circulated to all members of the Education and Training Boards and its contents are brought to the attention of all staff other than teachers and SNAs in your employment, including those on leave of absence.

All queries should initially be brought to the attention of the employer who may wish to consult with ETBI. Any further queries in relation to this Circular may be directed to the Department at the following e-mail address: esr@education.gov.ie.

This Circular can be accessed on the Department's website at <https://www.gov.ie/en/publication/b021b-working-arrangements-for-staff-other-than-teachers-and-snas-who-are-categorised-as-very-high-risk-vhr-and-for-pregnant-staff-other-than-teachers-and-snas-employed-in-recognised-primary-and-post-primary-schools-202122-school-year/>

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Definitions and Abbreviations

For the purpose of this Circular the following terms have the meanings assigned to them here unless the context indicates otherwise.

Cocoon - means an employee who is at very high risk of serious illness from contracting COVID-19 and is required to stay at home as much as possible and avoid physical contact with other people.

DPER - means Department of Public Expenditure and Reform.

Employee - means all staff other than teachers and special needs assistants (SNAs) employed in ETBs in approved posts funded by monies provided by the Oireachtas.

Employer - means an Education and Training Board (ETB)

GDPR - means the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679).

GP - means General Practitioner.

HSE - means Health Service Executive.

Lead Worker Representative - means the employee appointed in the workplace, to represent staff, who will work in collaboration with the employer to assist in the implementation of measures to prevent the spread of COVID-19, monitor adherence to those measures and be involved in communicating the COVID-19 health advice in the workplace.

Occupational Health Service (OHS) - means the providers of independent medical advice on occupational health to the employer.

Significant Vaccine Protection – means as currently specified in the [HPSC publication titled 'Guidance on the Impact of Vaccination on contact tracing'](#). Please note this definition may change over time. Currently, Significant Vaccine Protection is defined as:

- 7 days after receipt of the second Pfizer-BioNTech dose
- 14 days after receipt of the second Moderna dose
- 14 days after receipt of the Janssen dose (one dose vaccination course)
- 15 days after receipt of the second AstraZeneca dose

The Department - means the Department of Education.

1. General Provisions

1.1 Introduction

- 1.1.1 Coronavirus (COVID-19) is a virus that can cause illness affecting the lungs and airways.
- 1.1.2 The employer has obligations under the Safety, Health and Welfare at Work Act, 2005 to ensure the safety and welfare of staff at work.

1.2 Purpose of this Circular

- 1.2.1 The purpose of this Circular is to advise employers of the current COVID-19 arrangements for employees. A COVID-19 Employer's Guide is available at [Chapter 6](#) of this Circular, which includes the working arrangements and leave arrangements that will apply to employees under the specific circumstances, as detailed.

1.3 Employee Assistance Service

- 1.3.1 The Employee Assistance Service is available as a supportive resource for employees. The free phone confidential helpline is available 24 hours a day, 365 days a year (**1800 814 243**).

1.4 COVID-19 Response Plan

- 1.4.1 The COVID-19 Response Plan is designed to support employers and employees in putting measures in place that aim to prevent the spread of COVID-19 in the workplace. It details the policies and practices necessary for a workplace to implement the Government's 'Work Safely Protocol', so as to prevent the introduction and spread of COVID-19 in the workplace.
- 1.4.2 All employers are required to have an up to date COVID-19 Response Plan in place. The plan outlines the arrangements in place to ensure a safe workplace for all employees. There is an obligation on the employer to discuss the COVID-19 Response Plan with employees and ensure that all appropriate risk mitigation measures are clearly in place for their protection.
- 1.4.3 It is incumbent on each employee to fully comply with the employer's COVID-19 Response Plan. Co-operation between the employer, the employee and the Lead Worker Representative(s) is fundamental to ensuring that the measures are adhered to.

1.5 COVID-19 Return to Work Form

- 1.5.1 As part of the COVID-19 Response Plan, employers must make a COVID-19 Return to Work Form available to all employees for completion, to assist with their safe return to the workplace following an absence.
- 1.5.2 An employee is required, as part of the COVID-19 Response Plan to complete the COVID-19 Return to Work Form in advance of his/her return date to the workplace.
- 1.5.3 The employee should only complete the COVID-19 Return to Work Form once i.e. before returning to the workplace. However, an employer may request an employee to confirm that the details provided in the Return to Work Form have not changed e.g. following a period of workplace closure, a leave of absence, travel or where the

employee attends the workplace infrequently. The employee can provide confirmation to the employer, either verbally or in writing. The employer should keep a record of the employee's confirmation.

1.5.4 A new employee or substitute employee who is appointed to different ETBs during the school year should complete the COVID-19 Pre-Return to Work Form once in respect of each employer.

1.5.5 An employee should notify his/her employer if there are any changes to his/her circumstances at any stage.

1.6 Employee becomes unwell

1.6.1 It is important to emphasise that any employee who is feeling unwell must not attend the workplace. This applies to any transmissible illness during this COVID-19 emergency period.

1.6.2 Where an employee becomes unwell in the workplace, the employer should follow the procedures set out in the employer's COVID-19 Response Plan.

1.7 Data Protection and GDPR

1.7.1 The purpose for which the ETB requires the personal data provided, is for the processing of the special leave with pay and substitute claims. Full details of the ETB's Data Protection Policy setting out how personal data will be used, including information regarding rights as a data subject, are available from the ETB.

1.7.2 Article 6(1)(c) in conjunction with Article 9(2)(b) in relation to special category data (including health data) of the GDPR permits the processing of special category data (including health data) for reasons of health and safety. In addition, Article 6(1)(e) in conjunction with Articles 9(2)(i), along with section 53 of the Data Protection Act, 2018, permits the processing of special category data (including health data) for reasons of public interest in the area of public health. The measures are deemed both necessary and proportionate, and include safeguards such as limitation on access to the data, strict time limits for erasure, and other measures such as adequate staff training to protect employees' data protection rights. For further information please visit the Data Protection Commission website.

1.7.3 In certain circumstances, an employer may ask an employee for information in relation to their COVID-19 special category personal data. For example:

- An employee who requests COVID-19 special leave with pay will be required to provide their COVID-19 test results.
- An employee who has been advised by the HSE, they are a close contact of a confirmed COVID-19 case may be required to inform their employer, if they have significant vaccine protection. The HSE rules around restricted movement have changed for individuals with significant vaccine protection. In certain circumstances, individuals are no longer required to [restrict their movements](#) where they are a close contact of a confirmed COVID-19 case.

- Where an employee is required to attend the workplace and is a close contact, the employer may need to enquire in limited circumstances, if he/she has significant vaccine protection, in order for the employer to take a decision in relation to health and safety requirements and workplace attendance.

1.7.4 An employer will need to determine on a case-by-case basis, the level of special category personal data they require in order to make relevant decisions with regard to the health and safety of staff in the workplace. At all times, the data collection and processing of special category personal data must be necessary, proportionate and safeguarded.

1.7.5 All documentation relating to the processing of applications and declarations must be retained by the employer with the relevant personnel records in a safe and secure manner and in line with the employer's data protection policy and data protection regulations. These records may be selected for inspection by nominated Department officials.

1.8 Compliance

1.8.1 Failure to abide by the special arrangements by employees set out in this Circular may be dealt with under the current disciplinary procedures.

2. COVID-19 Special Leave with Pay

2.1 Special Leave with Pay

2.1.1 Special leave with pay will be granted by the employer where an employee has been advised to self-isolate under the following circumstances:

- a) displaying COVID-19 symptoms, as detailed in [Chapter 6](#) (Table 1) or
- b) diagnosed with COVID-19, as detailed in [Chapter 6](#) (Table 2)

2.1.2 The special leave with pay will apply for the number of days advised by the HSE/GP.

2.1.3 Special leave with pay will not apply where an employee has been facilitated to work remotely i.e. working from home, under the following circumstances:

- a) restricting his/her movements (further details in [Chapter 3](#))
- b) categorised as being in the very high risk group (further details in [Chapter 4](#))

2.1.4 As part of the application process for special leave with pay, the employee must provide HSE/medical certification to the employer for the duration of the absence, including the date of fitness to return to work (where this date is available). Where HSE/medical certification is unavailable at the time, the employer may accept a copy of the relevant HSE text message notification to the employee.

- 2.1.5 Where an employee who provides tuition to learners has been granted special leave with pay, the employer may appoint a substitute to fulfil the duties.
- 2.1.6 Special leave with pay granted by the employer will not be counted as part of the employee's Sick Leave record.
- 2.1.7 Similar to the general principles applying to the management of Sick Leave, the employee must contact the employer as soon as possible, in accordance with the employer's normal absence reporting arrangements. Where circumstances or diagnosis changes, the employee must also inform the employer immediately.
- 2.1.8 An employee is not entitled to days in lieu of bank holidays whilst in receipt of special leave with pay.
- 2.1.9 An employee's entitlement to special leave with pay shall cease on the expiry of a contract and that contract not having been renewed, unless that contract is followed directly by a 'back to back' contract in an approved employee post funded by monies provided by the Oireachtas.
- 2.1.10 It is considered good practice in maintaining a positive wellbeing culture in the workplace to have appropriate contact between the employer and the employee during periods of leave. The nature of this contact should focus on the welfare of the employee and the facilitation of a successful return to work.
- 2.1.11 The special leave with pay absence must be recorded by the employer on the relevant ETB system.
- 2.1.12 Special leave with pay for employees who are not required to work due to COVID-19 should be based on basic salary and fixed allowances only.

2.2 Application Procedures for Special Leave with Pay

- 2.2.1 An employee who has been HSE/medically diagnosed with COVID-19 or has been HSE/medically advised to self-isolate must complete the Application Form at [Appendix A](#) to apply for special leave with pay.
- 2.2.2 The completed Application Form should be forwarded by the employee to the employer as soon as possible. The completed form must be accompanied by satisfactory HSE/medical certification. Where HSE/medical certification is unavailable at the time, the employer may accept a copy of the HSE text message notification to the employee.

2.3 Self-Isolation

- 2.3.1 Based on HSE advice, an employee with COVID-19 symptoms must self-isolate by staying indoors and completely avoiding contact with other people. This includes other people in the household, as much as possible. An employee will be HSE/medically advised to self-isolate under the specific circumstances, as detailed in [Chapter 6](#) (Table 1).

- 2.3.2 The current criteria for self-isolation, and as updated by the HSE, must be followed. The current advice for self-isolation is at:
<https://www2.hse.ie/conditions/coronavirus/self-isolation-and-limited-social-interaction.html>.
- 2.3.3 The employee must inform the employer immediately where HSE or medical advice is that he/she must self-isolate. Subject to the provision of the appropriate HSE/medical confirmation and completion of the Application Form at Appendix A, special leave with pay will be granted by the employer.
- 2.3.4 The employee must seek to make arrangements to be medically assessed for a COVID-19 test as soon as possible and must immediately inform the employer of the COVID-19 test result or if a test is not required.
- 2.3.5 Where the COVID-19 test result is positive, the employee remains on special leave with pay which must be recorded by the employer as 'COVID-19: Diagnosis' on the relevant ETB system.
- 2.3.6 Where the employees' COVID-19 test is negative, please refer to Chapter 6 (Table 3).
- 2.3.7 For any non-COVID-19 illness, the terms and conditions of the Sick Leave Scheme will apply.

2.4 COVID-19 Diagnosis

- 2.4.1 The employee must inform the employer immediately where he/she has tested positive for COVID-19.
- 2.4.2 Special leave with pay will be granted by the employer, subject to the employee providing:
- satisfactory medical evidence of the COVID-19 positive test result, including test date
 - satisfactory HSE/medical certification to support the COVID-19 absence
 - a completed Application Form (see [Appendix A](#))
- 2.4.3 Please refer to [Chapter 6](#) (Table 2) which details the current HSE advice on the self-isolation period and the special leave with pay arrangements for an employee who has been diagnosed with COVID-19.
- 2.4.4 When special leave with pay for COVID-19 diagnosis was introduced in March 2020, it was understood, based on public health advice at the time, the period of self-isolation/illness would be for approximately 14 days. As the COVID-19 pandemic has evolved, it is now understood that in some cases the recovery time for individuals who contract COVID-19 can last longer. In this regard, from 1st January, 2021, where an employee has been diagnosed with COVID-19 and remains absent, special leave with pay may be granted by the employer for up to a maximum of 28 days, subject to the employee providing satisfactory and ongoing medical certification to the employer.
- 2.4.5 Similar to the terms and conditions of the Sick Leave Scheme, an employer must refer an employee to the OHS, where he/she is absent or expected to be absent on special leave with pay for a period of 28 days duration.
- 2.4.6 Where an employee is still unwell after 28 days due to a non-COVID-19 related illness, he/she will be recorded by the employer as absent on ordinary Sick Leave and the terms and conditions of the Sick Leave Scheme will apply.
- 2.4.7 When the employee returns to work, he/she must be reminded by the employer of the procedures in the workplace regarding social distancing, use of personal protective equipment and hand washing techniques.

2.5 Extended Special Leave with Pay beyond 28 days

- 2.5.1 From 1st January, 2021 special leave with pay may be extended by the employer beyond 28 days, subject to the provision of satisfactory and regular medical certification and provided the criteria, as described below are met.

(a) Workplace Attendance - the employee was in the workplace¹ (outside the home) during any of the 14 calendar days, prior to commencing the self-isolation period for COVID-19 diagnosis. Therefore, an employee who was not in the workplace during any of the 14 calendar days, prior to commencing the self-isolation period for COVID-19 diagnosis, does not meet the criteria for extended special leave with pay beyond 28 days. Any workplace attendance must have been known to and agreed by the employer in advance. In this

¹ The workplace includes any location, outside the home, an employer requires an employee to attend as part of the role.

regard, employers are advised to keep an updated record of all employees in attendance in the workplace.

(b) COVID-19 Test Result – the employee must provide the employer with satisfactory medical evidence of the COVID-19 test date and the positive test result. A copy of the relevant HSE text message notification to the employee is acceptable. It is recognised that at the start of the pandemic, universal COVID-19 testing was unavailable. Thus, on a case-by-case basis, medical evidence that the clinical presentation indicated a high probability of COVID-19 may suffice.

(c) OHS Health Assessment Report – the OHS must provide the employer with a report to state:

- (i) the employee is medically unfit to resume work.
- (ii) the employee's absence relates primarily to ongoing COVID-19 illness.
- (iii) the employee is accessing appropriate medical care.

2.5.2 For example, on 14th February, 2021 an employee commenced special leave with pay following a COVID-19 diagnosis. Where satisfactory medical certification is provided, the employee will be recorded as absent on special leave with pay, up to a maximum of 28 days, unless the criteria at paragraph 2.5.1 are met in which case the special leave with pay may be further extended.

2.5.3 Where an employee commenced special leave with pay following a COVID-19 diagnosis in 2020 and remains absent on 1st January, 2021, the new arrangements for extended special leave with pay, as detailed in this paragraph will apply from the initial date of absence, where the criteria at paragraph 2.5.1 above are met. The employee must be referred to the OHS, if not already done so.

2.5.4. Where the employee is absent on special leave with pay for 28 days, the employer must make a non-discretionary referral to the OHS.

2.5.5 The employer must, as part of the referral process:

- a) inform the employee of the decision to refer him/her to the OHS.
- b) complete a secure on-line referral form through the dedicated online OHS portal. The referral should be titled "COVID-19 Diagnosis Special Leave with Pay Extension".
- c) send to the OHS (quoting the referral number provided by the OHS) a copy of the medical evidence of the positive COVID-19 test, including the test date.
- d) provide the employee with a copy of the referral.

2.5.6 The OHS will provide the employer with a referral number immediately after submitting the on-line referral.

2.5.7 The OHS will arrange an appointment for the employee with an Occupational Health Physician.

2.5.8 Following the medical assessment, the OHS will provide a Health Assessment Report to the employer to indicate the following:

- a) Whether the employee is fit or unfit for work.
- b) If unfit for work whether the absence relates primarily to ongoing COVID-19 illness.
- c) If unfit for work whether the employee is accessing appropriate medical care.
- d) If unfit for work the likely duration of absence, or, if it is not possible to establish a return to work date, the date for review.
- e) Any other relevant information in keeping with medical confidentiality.

2.5.9 Where an employee was recorded on the ETB system as absent on leave due to COVID-19 diagnosis in 2020 and absent on 1st January, 2021, an employer must also refer him/her to the OHS.

2.5.10 Where the criteria at paragraph 2.5.1 are not met, the absence in excess of 28 days must be recorded by the employer as Sick Leave on the relevant ETB System and the terms and conditions of the Sick Leave Scheme will apply.

2.5.11 An employee may appeal the OHS decision in accordance with the procedures detailed below. The medical review appeal is only to determine if the absence relates primarily to COVID-19 illness. Only an employee who has already been assessed by the OHS as medically unfit for work due to a non-COVID-19 related illness has the option to appeal.

- a) The employee informs the employer of his/her intention to appeal the OHS decision.
- b) The employee sends a request for the appeal to the OHS (by post/e-mail) within 14 days from the date of the OHS decision.
- c) The OHS provides a list of appeal doctors (specialists in occupational medicine) to the employee.
- d) The employee subsequently informs the OHS of his/her choice of appeal doctor.
- e) It is the responsibility of the employee to arrange the appointment with the appeal doctor.
- f) The OHS forwards the medical reports that were submitted by the employee to the OHS at the time of the initial assessment to the chosen appeal doctor.
- g) Only medical information that was available at the time of the initial OHS assessment can be submitted to the appeal doctor by the OHS and the employee is not permitted to submit any additional information to the appeal doctor.
- h) The appeal doctor sends a report to the OHS with an opinion regarding the COVID-19 relatedness of the absence.
- i) The OHS subsequently notifies the employer with regard to the outcome of the appeal.
- j) The cost of the appeal is €150 payable by the employee to the appeal doctor. If the appeal is successful, the cost of the assessment will be refunded by the OHS.
- k) The employer informs the employee of the appeal outcome.

2.5.12 The new arrangements for extended COVID-19 special leave with pay are temporary and will be monitored and reviewed by DPER.

2.6 Ordinary Sick Leave

- 2.6.1 Any non-COVID-19 illness must be recorded by the employer as Sick Leave on the relevant ETB system and the terms and conditions of the Sick Leave Scheme will apply. If the employee is subsequently diagnosed with COVID-19, special leave with pay can be retrospectively applied in lieu of the specific period of Sick Leave.

3. Restricted Movement

3.1 Restricted Movement

- 3.1.1 The HSE sets out the latest criteria for restricted movement, where an individual has been advised by the HSE they are a close contact of a confirmed COVID-19 case. Please refer to HSE link at: <https://www2.hse.ie/conditions/covid19/contact-tracing/close-casual-contact/>
- 3.1.2 There have been changes to the HSE criteria available at [this HSE link](#), based on factors such as:
- If an individual has significant vaccine protection or has recovered from COVID-19 (no restriction of movement required in certain circumstances).
 - If an individual is a close contact, self-isolation rather than restriction of movement may be required, in certain specified circumstances.
- 3.1.3 The current criteria for restricted movement, as updated by the HSE, must be followed.
- 3.1.4 Please refer to [Chapter 6](#) (Table 3) which details the current HSE advice on restricted movement and the working arrangements for an employee who has been advised to restrict his/her movements. Employers should ensure that they are aware of the most up to date information on gov.ie in relation to updated advice.
- 3.1.5 An employee who has been advised to restrict his/her movements must complete the Declaration Form at [Appendix C](#) and return it immediately to the employer, accompanied by appropriate HSE/medical confirmation, including the date of fitness to return to work (where this date is available). Where the HSE/medical confirmation to be provided to the employer relates to a third party e.g. a housemate, the employee may redact the personal details.
- 3.1.6 Where medical diagnosis changes, the employee must inform the employer immediately.
- 3.1.7 An employee who has been advised to restrict his/her movements and is medically fit for work, remains available for work. For the period as specified by the HSE/GP, the employee should be assigned work, and the employer must therefore facilitate alternative working arrangements to the maximum extent possible e.g. work from home. All employees must cooperate with all such flexibilities while they are restricting their movements. Further details on alternative working arrangements are available in Chapter 4 [paragraph 4.4](#).
- 3.1.8 Where an employee has been medically advised to restrict his/her movements, the employer may appoint a substitute, paid by the Paymaster.
- 3.1.9 An employee on restricted movement must be recorded on the relevant ETB system.

3.2 Leave arrangements on return from Travel Overseas

- 3.2.1 Ireland now operates the EU Digital COVID Certificate (DCC) for travel originating within the EU/EEA. Full details of current arrangements can be found set out at [this gov.ie link](#). All employees are required to adhere to public health requirements when travelling overseas and on return from travel overseas.
- 3.2.2 An employee should be aware of any testing and quarantine requirements in place at the time of travel, both for their intended destination and on return to Ireland. Responsibility to provide for the period of restricted movement (quarantine) arising from travel overseas is a matter for each individual employee unless they fall into the very limited exemption categories [as outlined on gov.ie](#).
- 3.2.3 Where there is an intention to undertake travel overseas to any country which requires a restricted movement period on return to Ireland, an employee must make provision by way of an Unpaid Leave or Annual Leave application for that period of restricted movement, in line with the terms and conditions, as detailed in the Department's publications. Where an employee is absent on approved Unpaid Leave or Annual Leave, and where substitution is required the employer may appoint a substitute, paid by the ETB. This arrangement is applicable to all employees regardless of whether they can work from home..
- 3.2.4 The Government may at any time, apply an emergency brake system to countries where a variant of concern or interest arises. An employee should be aware that whatever restricted movement (quarantine) requirements are in place and applicable to them on their date of return to Ireland will apply. An employee should notify their employer if they become aware of the requirement to take additional Unpaid Leave, in order to satisfy any restricted movement (quarantine) requirement. An employee should log on to www.dfa.ie immediately prior to their return to Ireland to ensure they are fully apprised of any changes to the security rating of countries, and any necessary requirement to restrict their movements.

4. Higher Risk Groups

4.1 Very High Risk Group

4.1.1 The HSE advice on the 'very high risk' groups is at:

<https://www2.hse.ie/conditions/covid19/people-at-higher-risk/>

4.1.2 Having considered the HSE advice and information available on the OHS website, an employee who believes he/she is at very high risk of serious illness from contracting COVID-19 must:

a) complete the online OHS COVID-19 Risk Assessment Questionnaire immediately and submit it to the OHS. This Questionnaire which is available on the OHS website must be accompanied by a completed 'Report from Treating Consultant'. Where such a Report cannot be obtained from the treating consultant within a short timeframe, a copy of the latest treating Consultant's Report can be obtained from the employee's GP. The Report from Treating Consultant template is available on the OHS website.

b) inform the employer immediately, or on diagnosis, that he/she believes they are in the 'very high risk' group.

4.1.3 An employee who has been categorised as at very high risk of serious illness from contracting COVID-19 or is over 70 years of age should also submit a COVID-19 Risk Assessment Questionnaire to the OHS, before they can attend the workplace.

4.1.4 Having considered the medical information provided with the 'OHS Risk Assessment', the OHS will provide the employee with a 'COVID-19 Health Risk Categorisation Report' which advises whether he/she is at a very high risk of serious illness from contracting COVID-19.

4.1.5 As knowledge of COVID-19 has increased, some medical conditions that previously placed an employee in the 'Very High Risk' group now places them in the 'High Risk' category or the 'Normal Risk' category.

4.1.6 Based on the HSE Guidance for the education sector, the OHS will take account of whether the employee has 'significant vaccine protection' at the time of the OHS assessment. As part of this assessment, where the employee assessed as 'Very High Risk':

(a) Does not yet have 'significant vaccine protection', he/she will be categorised as 'Very High Risk' and the employer must facilitate alternative working arrangements i.e. work from home.

(b) Has 'significant vaccine protection' he/she will be categorised by the OHS as 'High Risk' and must attend the workplace, if medically fit for work.

- 4.1.7 Certain immunosuppressive conditions and treatments may affect the efficacy of COVID-19 vaccines. The OHS will take account of this when carrying out the COVID-19 health risk categorisation assessment and may alter the categorisation described at paragraph 4.1.7(b) above.
- 4.1.8 For employees where the 'OHS COVID-19 Health Risk Categorisation Report' advises that they are at a very high risk of serious illness from contracting COVID-19 and consequently must not attend the workplace, the Declaration Form at [Appendix D](#) must be completed by the employee and returned immediately to the employer accompanied by the OHS COVID-19 Health Risk Categorisation Report.
- 4.1.9 Where medical diagnosis changes, the employee must inform the employer immediately.
- 4.1.10 In accordance with DPER guidance, where an employee has been categorised as Very High Risk by the OHS and is medically fit for work, the employer should prioritise alternative working arrangements to the maximum extent possible e.g. working from home. Further details on alternative working arrangements are available in Chapter 4 [paragraph 4.4](#).
- 4.1.11 Where an employee has been categorised by the OHS as Very High Risk and is not attending the workplace, and where that employee provides tuition to learners the employer may appoint a substitute, paid by the ETB. A contract awarded to a substitute to cover for a very high-risk employee, should make clear reference to the fact that the appointment may have to be terminated in the event of the employee returning to the workplace earlier than expected.
- 4.1.12 Where an employee who is at very high risk of serious illness from contracting COVID-19 and has been assessed by the OHS as medically unfit for work due to a non-COVID-19 illness, the terms and conditions of the Sick Leave Scheme will apply.
- 4.1.13 An employee assessed by the OHS as being in the Very High Risk category and who is medically fit for work must be recorded by the employer as such on the relevant ETB system.
- 4.1.14 Please refer to [Chapter 6](#) (Table 4) which details the working arrangements for the 'very high risk' group' of employees.

4.2 High Risk Group

- 4.2.1 The HSE advice on the 'high risk' group is at:

<https://www2.hse.ie/conditions/covid19/people-at-higher-risk/> In accordance with HSE advice, an employee in the 'high risk' group (including an employee over 60 years of age) who is not ill must attend the workplace. The employee in the 'high risk' group should take extra care to practice social distancing and hand hygiene. Face coverings and personal protective equipment should also be used where maintaining social distancing is difficult.

- 4.2.2 In line with Chapter 1 [paragraph 1.4](#) all employers are required to have an up to date COVID-19 Response Plan in place. Those employees deemed 'high risk' and 'normal risk' can attend the workplace safely where the employer is implementing the COVID-19 Response Plan and the public health advice for workplaces.
- 4.2.3 An employee who has been categorised by the OHS (as described in [Chapter 4 paragraph 4.1](#)) and considers that the OHS 'COVID-19 Health Risk Categorisation Report' places him/her in an incorrect risk category, may request a review. The employee can e-mail the OHS directly (cork@medmark.ie) who will re-evaluate the medical evidence provided. The employee may provide additional medical evidence as part of the review process. In a situation where the review outcome is that the COVID-19 health risk categorisation remains the same, a further review will only be undertaken, where additional medical evidence indicates there has been a change in the employee's medical status or where there is a change in the HSE guidelines for the 'high risk' group.
- 4.2.4 Please refer to [Chapter 6](#) (Table 5) which details the working arrangements for the 'high risk' group of employees.
- 4.2.5 Where an employee is medically fit for work, he/she may not apply for Critical Illness Provisions (as detailed in the relevant Sick Leave Scheme) due to COVID-19 medical vulnerability.

4.3 Pregnant Employees in Certain Settings

- 4.3.1 The HSE has recently published '[Education Sector Guidance on Employees in the COVID-19 Higher Risk Categories, including Pregnant Employees](#)'. This guidance is aimed at employees in a classroom setting and should be applied to any employees in a similar setting in the ETB sector. The advice under applies only to those employees considered to be in a similar classroom setting as employees in other settings (e.g. office) remain working at home at present.
- 4.3.2 A pregnant employee who has any of the medical conditions as listed on the HSE website under 'Very high risk groups (extremely vulnerable)' should follow the process as detailed at [paragraph 4.1](#), with regard to a COVID-19 Health Risk Categorisation assessment.
- 4.3.3 Based on the HSE Guidance for the education sector, a pregnant employee up to 14 weeks gestation, who is medically fit for work can safely attend the workplace, unless they are categorised by the OHS as 'Very High Risk' due to an underlying medical condition unrelated to their pregnancy.
- 4.3.4 The recent HSE Guidance for the education sector advises that all pregnant employees should submit a COVID-19 Risk Assessment Questionnaire to the OHS before the end of their first trimester. The process as detailed at [paragraph 4.1](#) should be followed.
- 4.3.5 Based on the HSE Guidance, the OHS will take account of whether the pregnant employee has 'significant vaccine protection' at the time of the OHS assessment.

4.3.6 From 14 weeks gestation, a pregnant employee who:

(a) Does not yet have 'significant vaccine protection' and has no underlying medical condition, will be categorised by the OHS as 'High Risk' and must attend the workplace, following a workplace pregnancy risk assessment, if she is medically fit for work.

(b) Does not yet have 'significant vaccine protection', and has an underlying medical condition, she will be categorised by the OHS as either 'High Risk' or 'Very High Risk', based on most up to date HSE advice for higher risk groups. Where the employee is categorised by the OHS as 'High Risk' she must attend the workplace, following a workplace pregnancy risk assessment, if she is medically fit for work. Where she is categorised by the OHS as 'Very High Risk', she remains available for work and the employer must facilitate alternative working arrangements i.e. work from home.

4.3.7 Where the pregnant employee, assessed as 'Very High Risk':

(a) Has 'significant vaccine protection', she will be categorised by the OHS as 'High Risk' and must attend the workplace if medically fit for work.

4.3.8 Where the pregnant employee, assessed as 'High Risk':

(a) Has 'significant vaccine protection', she will be categorised by the OHS as 'Normal Risk' and must attend the workplace if medically fit for work.

4.3.9 There is a statutory obligation on the employer to carry out a workplace pregnancy risk assessment on an employee as soon as they are notified that she is pregnant.

4.3.10 Certain immunosuppressive conditions and treatments may affect the efficacy of COVID-19 vaccines. The OHS will take account of this when carrying out the COVID-19 health risk categorisation assessment and may alter the categorisation described at paragraphs 4.1 and 4.2 above.

4.3.11 For a non-COVID-19 related high risk pregnancy, where an employee is medically unfit for work, the terms and conditions of the Sick Leave Scheme will apply i.e. pregnancy related illness provisions.

4.3.11 A pregnant employee is not eligible to apply for [Health and Safety Leave](#) due to the COVID-19 pandemic or based on his/her current COVID-19 Health Risk Categorisation Report.

4.3.12 A summary for pregnant employees is provided at [Appendix E](#) of this Circular.

4.4 Change in COVID-19 Health Risk Categorisation

4.4.1 An employee's existing COVID-19 Health Risk Categorisation Report may be reviewed at any time during the 2021/22 school year due to a change in:-

(a) HSE advice

Where HSE advice is updated for the higher risk group, this may change the COVID-19 health risk categorisation. The OHS will contact the employee who submitted a COVID-19 Risk Assessment Questionnaire, to invite them to re-submit a new Questionnaire. Where the employee is re-categorised by the OHS, they will be required to return to the workplace, unless they are categorised as 'Very High Risk'.

(b) Medical diagnosis

Where medical diagnosis or treatment changes, the 'High Risk' or 'Very High Risk' employee must submit a new COVID-19 Risk Assessment Questionnaire to the OHS. Where a 'Very High Risk' employee is re-categorised by the OHS, they will be required to return to the workplace.

(c) Vaccination status

Where the 'Very High Risk' employee has gained 'significant vaccine protection' since the OHS assessment was carried out, this may change the COVID-19 health risk categorisation. The employee must submit a new COVID-19 Risk Assessment Questionnaire to the OHS. Where the employee is re-categorised by the OHS, they will be required to return to the workplace unless they are categorised as 'Very High Risk'.

4.5 Alternative Working Arrangements

4.5.1 An employee who is medically fit for work and has been advised to restrict his/her movements, or an employee at very high risk of serious illness from contracting COVID-19 is available to work remotely.

4.5.2 The work assigned to the employee should be determined by the employer, in consultation with the employee, and may include relevant duties that support the work of the employer.

If remote working in the employee's current role is not feasible, then the assignment of work may be outside of their usual core duties.

4.6 Employee with caring or childcare responsibilities or living with high risk or very high risk individual

4.5.1 Special leave with pay is not available for an employee who has COVID-19 related caring or childcare responsibilities, or for an employee who is living with a high risk or very high risk individual.

4.5.2 However, an employee who wishes to avail of existing relevant leave entitlements is entitled to have such requests considered by his/her employer (e.g. Parental/Carer's/Force Majeure Leave) in line with the terms and conditions of Department publications. When considering such an application, the employer must take account of the employer's policy on employee absences in managing the business needs of the ETB.

4.5.4 Employees who live with a very high risk individual should attend the workplace and should follow the HSE guidelines to protect themselves and to minimise risk of transmission. The implementation of the Return to Work Safely Protocol is intended to minimise the risk of transmission in the workplace.

4.5.4 Please refer to [Chapter 6](#) (Table 6) which provides details on the working arrangements that will apply.

5. Covid-19 Vaccinations

5.1 Covid-19 vaccination appointments for employees are provided for in the same manner as any other medical appointment, and as set out in the Sick Leave Scheme (Circular 63/2015).

5.2 Where an employee has side effects following the COVID-19 vaccination resulting in absence from duty, the terms and conditions of the Sick Leave Scheme will apply.

6. Employer's Guide

COVID-19 Working Arrangements for Employees in ETB Workplaces – Employer's Guide

Table 1 – COVID-19: Self-Isolation (refer to Chapter 2 paragraph 2.3 of this Circular)

No.	Scenario	Leave Status (subject to satisfactory HSE/medical certification or confirmation)
1	Employee with COVID-19 symptoms awaits a medical assessment to determine if COVID-19 test is required.	Special Leave with Pay (COVID-19:Self-Isolation) applies during this period.
2	Employee with COVID-19 symptoms is advised by GP/HSE to attend for a COVID-19 test and awaits the test and test result.	Special Leave with Pay (COVID-19:Self-Isolation) applies during this period.
3	Employee with COVID-19 symptoms has been notified of a negative COVID-19 test result for and is advised by the HSE to attend for a second test.	Special Leave with Pay (COVID-19:Self-Isolation) applies during this period.

Table 2 – COVID-19: Diagnosis (refer to Chapter 2 paragraph 2.4 of this Circular)

No.	Scenario	Leave Status (subject to satisfactory HSE/medical certification or confirmation)
1	Employee with COVID-19 symptoms has been notified of a positive COVID-19 test result. Employee must self-isolate for 10 days from onset of symptoms and be 5 days fever free (which may run concurrently) before return to the workplace. The 10 day period of self-isolation is from the onset of symptoms and not the date of receiving a positive COVID-19 test result.	Special Leave with Pay (COVID-19: Diagnosis) applies during this period, up to maximum of 28 days. Where the absence extends beyond 28 days, the employee is recorded as absent on Sick Leave, unless the criteria as detailed as scenario 2 below applies. Similar to the terms and conditions of the Sick Leave Scheme, an employer must refer an employee to the OHS, where he/she is absent on special leave with pay for a period of 28 days duration.
2	Employee with COVID-19 symptoms has been notified of a positive COVID-19 test result and remains absent beyond the 28 day period, as described in this table at scenario 1 above.	From 1 st January, 2021, Special Leave with Pay may be extended by the employer beyond 28 days where the following criteria are met:- The employer has confirmed the employee was in the workplace (subject to agreement in advance) during any of the 14 calendar days prior to onset of symptoms. The employee has provided the employer with satisfactory medical evidence of the COVID-19 test date and the positive test result. The OHS has provided the the employer with a report to state: <ul style="list-style-type: none"> i. the employee is medically unfit to resume work ii. the employee's absence relates primarily to ongoing COVID-19 illness iii. the employee is accessing appropriate medical care Further details are available at Chapter 2 paragraph 2.5 of this Circular.
3	Employee with no COVID-19 symptoms who was a close contact of a confirmed COVID-19 case has been notified of a positive test result. The employee must self-isolate for 10 days from the date of their COVID-19 test ¹ .	Special Leave with Pay (COVID-19: Diagnosis) applies during this period (prior to the COVID-19 test date, the employee is on restricted movement).

¹ See "When you can stop self-isolating" at this link <https://www2.hse.ie/conditions/coronavirus/managing-coronavirus-at-home/self-isolation.html>

Table 3 – COVID-19: Restricted Movement (refer to Chapter 3 of this Circular)

No.	Scenario	Leave Status (subject to HSE/medical certification or confirmation, where appropriate)
1	Employee with no COVID-19 symptoms is advised by HSE Contact Tracing Team that he/she is a close contact ² of a confirmed COVID-19 case. A COVID-19 test is arranged for the employee.	<p>(i) Special Leave with Pay does not apply during this period.</p> <p>(ii) Employee is on restricted movement for 14 days, pending test result. Where the employee is medically fit for work, they should be facilitated to work remotely for the period (see Chapter 4 paragraph 4.4 titled 'Alternative Working Arrangements' of Circular 0031/2021).</p> <p>(iii) Alternatively, where the employee is not medically fit to work remotely, they are recorded as absent on Sick Leave during this period.</p> <p>(iv) Outcome of test results:-</p> <p>Negative 1st test result: Where less than 10 days after last contact with a confirmed case, the 1st COVID-19 test is negative (COVID-19 not detected), the employee will need to continue to restrict their movements for 14 days or until the test result of their 2nd test is known (see below).</p> <p>Where the 1st test was at least 10 days after the last contact with a confirmed case and is negative (COVID-19 not detected) and the employee has no symptoms, then he/she can cease their restricted movement and will not require a second test.</p> <p>Negative 2nd test result: Where 10 days after last contact with a confirmed case, the 2nd COVID-19 test result is negative (COVID-19 not detected) and the employee has no symptoms, then he/she can cease their restricted movement.</p> <p>Positive test result: scenario No. 3 under Table 2 (COVID-19: Diagnosis) will apply immediately, where the employee must self-isolate for 10 days from the date of their COVID-19 test.</p>
2	Employee with no COVID-19 symptoms lives with a 'person' who has COVID-19 symptoms. This 'person' must arrange a COVID-19 test.	<p>(i) Special Leave with Pay does not apply during this period.</p> <p>(ii) Employee is on restricted movement pending outcome of 'person's' test result. Remote working arrangements will apply as detailed at scenario 1 in Table 3. Where the 'person' is notified of:-</p> <p>(a) Negative test result: the employee ceases restricted movement immediately and returns to the workplace.</p> <p>(b) Positive test result: the employee is identified as a close contact and scenario 1 in Table 3 applies immediately.</p>
3	Employee is concerned he/she has COVID-19 symptoms but GP advises he/she does not meet the criteria for a COVID-19 test. The employee may be advised by the GP to restrict his/her movements until he/she is 48 hours symptom free.	<p>(i) Special Leave with Pay does not apply during this period</p> <p>(ii) Where the employee is medically unfit to work, he/she is on Sick Leave during this period and the terms and conditions of the Sick Leave Scheme will apply.</p>

² <https://www2.hse.ie/conditions/coronavirus/close-contact-and-casual-contact.html> and <https://www.hpsc.ie/a-z/respiratory/coronavirus/novelcoronavirus/casedefinitions/covid-19educationalsettingscasesandclosecontactsdefinitions/>

		(iii) Where the employee is fit to work at any time during this period, he/she should be facilitated to work remotely (see Chapter 4 paragraph 4.4 titled 'Alternative Working Arrangements' of Circular 0031/2021).
4	Employee with COVID-19 symptoms has been notified of a negative COVID-19 test result and is advised by the HSE to self-isolate until s/he is 48 hours symptom free.	(i) Special Leave with Pay does not apply during this period. (ii) Where the employee is well, symptoms have resolved and is awaiting the end of the 48-hour period, they can be facilitated to work from home for this period (see Chapter 4 paragraph 4.4 titled 'Alternative Working Arrangements' of Circular 0031/2021). The employee can return to the workplace once he/she is 48 hours symptom free. (iii) Alternatively, where the employee is not medically fit to work remotely, they are recorded as absent on Sick Leave during this period and the terms and conditions of the Sick Leave Scheme will apply.
5	Employee providing care to a 'person' (e.g. young child) who is a confirmed COVID-19 case.	(i) Special Leave with Pay does not apply during this period. (ii) Employee is on restricted movement during the 10-day period of self-isolation for the 'person' who needs care and also for a further 7 days after the 'person's' period of self-isolation ends ³ . (iii) Employee remains available for work and should be facilitated to work remotely for the 17-day consecutive period (see Chapter 4 paragraph 4.4 titled 'Alternative Working Arrangements' of Circular0031/2021).
6	Employee has expressed concern that he/she may be a close or casual contact of a confirmed COVID-19 case.	(i) Special Leave with Pay does not apply during this period. (ii) Employee is not required to restrict their movements unless advised by the HSE Contact Tracing Team that they are a close contact of a confirmed COVID-19 case in which case the scenario 1 in Table 3 applies. In instances where the employee is a casual contact, they should attend the workplace as normal and be aware of COVID-19 symptoms.
7	Employee with no COVID-19 symptoms lives with a 'person' who is a close contact of a confirmed case. The 'person' feels well so therefore the other household members do not need to restrict their movements.	(i) Special Leave with Pay does not apply during this period. (ii) The employee should attend the workplace, as normal and be aware of COVID-19 symptoms
8	Employee who feels well and lives with a 'person' who has respiratory symptoms but the GP has advised the 'person' that a COVID-19 test is not required.	(i) Special Leave with Pay does not apply during this period. (ii) The employee should attend the workplace, as normal and be aware of COVID-19 symptoms
9	The employee who has travelled overseas must restrict his/her movements (quarantine) for 14 days ⁴	Special Leave with Pay does not apply during this period. Non-essential travel: Employee must make provision by way of an Unpaid Leave or Annual Leave application for that period of restricted movement, in line with the terms and conditions, as detailed in the Department's publications. Essential travel: It is a matter for the employer to determine on a case-by-case basis, having considered the appropriate supporting documentary evidence provided by the employee, whether travel overseas is 'essential travel' i.e. for urgent medical reasons.

³ <https://www2.hse.ie/conditions/coronavirus/self-isolation/caring-for-someone-who-cant-self-isolate.html>

⁴ On arrival from certain countries, if a further test is taken at day 5 and the employee receives a negative test result they can stop restricting their movements. This does not apply to arrivals from Category 2 Countries and Territories. See <https://www.gov.ie/en/campaigns/75d92-covid-19-travel-advice/> for further details.

Where it is determined by the employer that the travel overseas is for an essential reason, Chapter 3 [paragraph 3.1](#) (restricted movement) will apply where quarantine, as described at Chapter 3 [paragraph 3.2](#) is required on return to Ireland.

Table 4 – COVID-19: Very High Risk Group (refer to Chapter 4 paragraph 4.1 of this Circular)

No.	Scenario	Leave Status (subject to OHS Report provided)
1	Employee has been categorised by the OHS as at a very high risk of serious illness (extremely vulnerable) ⁵ from contracting COVID-19.	(i) Special Leave with Pay does not apply during this period. (ii) In accordance with HSE advice, an employee categorised in the ‘very high risk’ group is advised to cocoon and cannot attend the workplace. (iii) The employee who is medically fit for work, should be facilitated to work remotely (see Chapter 4 paragraph 4.4 ‘Alternative Working Arrangements’ of Circular 0031/2021). (iv) The employee who has been assessed by the OHS as medically unfit for work due to a non-COVID- 19 illness, the terms and conditions of the Sick Leave Scheme will apply.
2	An employee categorised by the OHS as at a very high risk of serious illness from contracting COVID-19 requests to attend the workplace.	The employer should contact the Department for further advice by e-mailing: esr@education.gov.ie .
3	Employee is advised to cocoon prior to certain medical treatments or surgical procedures. The employee must complete the OHS COVID-19 Risk Assessment Questionnaire in order to be provided with a temporary COVID-19 Health Risk Categorisation Report.	(i) Special Leave with Pay does not apply during this period. (ii) Similar to the very high risk group, the employee who is advised to cocoon cannot attend the workplace. (iii) The employee who is medically fit for work, should be facilitated to work remotely for the specified period as medically advised, which is typically 2 weeks (see Chapter 4 paragraph 4.4 titled ‘Alternative Working Arrangements’ of Circular 0031/2021). This temporary period must be recorded by the employer on the relevant ETB system. (iv) Alternatively, where the employee is not medically fit to work remotely, they are recorded as absent on Sick Leave during this period.

Table 5 – COVID-19: High Risk Group (refer to Chapter 4 paragraph 4.2 of this Circular)

No.	Scenario	Leave Status
1	Employee is at high risk of serious illness ⁶ from contracting COVID-19.	(i) Special Leave with Pay does not apply during this period. (ii) In accordance with HSE advice, an employee in the ‘high risk’ group who is not ill must attend the workplace. The employee in the ‘high risk’ group should take extra care to practice social distancing and hand hygiene. The use of face coverings and personal protective equipment may also be considered where maintaining social distancing is difficult. See Chapter 4 paragraph 4.2 of Circular 0031/2021 regarding the workplace COVID-19 Response Plan.

⁵ <https://www2.hse.ie/conditions/coronavirus/people-at-higher-risk.html#very-high-risk>

⁶ <https://www2.hse.ie/conditions/coronavirus/people-at-higher-risk.html#high-risk>

Table 6 – Employee with caring or childcare responsibilities or living with high risk or very high risk individual refer to Chapter 4 paragraph 4.5 of this Circular)

No.	Scenario	Leave Status
1	Employee is required to provide COVID-19-related care or is living with a high risk or very high risk individual.	(i) Special Leave with Pay does not apply during this period. (ii) An employee who wishes to avail of existing relevant leave entitlements is entitled to have such requests considered by their employer (e.g. Parental Leave/Carer's Leave) in line with the terms and conditions of Department publications. Employers may at their discretion, under Section 8(4) of the Parental Leave Act, 1998 waive the requirement for the 6 week notification for Parental Leave applications.
2	Employee is required to care for a 'person' (e.g. child) who:- (a) does not meet the criteria for a COVID-19 test but is advised by the GP to self-isolate until 48 hours symptom free. (b) has been notified of a negative COVID-19 test result and is advised by the HSE to self-isolate until he/she is 48 hours symptom free.	(i) Special Leave with Pay does not apply during this period. (ii) An employee who wishes to avail of existing relevant leave entitlements is entitled to have such requests considered by his/her employer (e.g. Parental Leave/Carer's Leave) in line with the terms and conditions of Department publications. Employers may at their discretion, under Section 8(4) of the Parental Leave Act, 1998 waive the requirement for the 6 week notification for Parental Leave applications.

Appendix A – Application for Special Leave with Pay**(1) COVID-19 diagnosis or (2) advised to self-isolate**

The Application Form should be fully completed and submitted to the employer as soon as possible. The completed form must be accompanied by HSE/medical certification to support the absence, including the date of fitness to return to work (where this date is available). Where HSE/medical certification is unavailable, the employer may accept a copy of the relevant HSE text message notification/confirmation to the employee. For COVID-19 diagnosis, medical evidence of the positive test, including the test date must also be included with the completed form.

Part 1 - Employee Details

Employee's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

Employment Centre: _____

Part 2 – Details of Special Leave with Pay

Based on HSE/medical advice, I wish to apply for special leave with pay, for the reason indicated below (tick relevant box).

- I am awaiting a medical assessment to determine if a COVID-19 test is required.
- I am awaiting a COVID-19 test and the test result.
- I have been notified of a negative COVID-19 test result and await a second COVID-19 test.
- I have been diagnosed with COVID-19.

Start Date (DD/MM/YYYY): _____ Estimated End Date (DD/MM/YYYY): _____

Declaration

I wish to apply for Special Leave with Pay in accordance with the terms and conditions of Circular 0031/2021 titled 'Coronavirus (COVID-19): Arrangements for Staff other than Teachers and Special Needs Assistants employed in ETBs.

The completed Application Form is accompanied by medical/HSE certification or confirmation.

I confirm that the information provided in the Application Form is true and accurate.

Signature of Employee: _____ Date: _____

Part 3 – Employer Record

HSE/Medical Certification or Confirmation provided (or copy of text message screenshot, where appropriate)	<input type="checkbox"/>
For COVID-19 diagnosis: Medical evidence of COVID-19 positive test result, including test date provided	<input type="checkbox"/>
Signature: _____ Date: _____ (Employer)	
<i>Application Form/Supporting Documentation should NOT be submitted to the Department of Education. They should be retained in the ETB with any other relevant documentation for record and audit purposes with the relevant personnel records.</i>	

<p>Data Protection Privacy Statement</p> <p>ETBs should insert a link to their Privacy Statement here when making the form available for use</p>
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**Appendix B - Employer Approval Form -
Extension of COVID-19 Special Leave with Pay**

This Employer Approval Form must be completed where an employer has approved the leave category 'COVID-19: Diagnosis Extension' in respect of an employee, upon receipt of the OHS Health Assessment Report

Part 1 – Employee Details

Employee's Name: _____ Contact No.: _____

Home Address: _____

E-mail Address: _____ PPSN: _____

Employment Centre: _____

Part 2 – Employer Approval

1. The employee was in the workplace¹ (outside the home) during any of the 14 calendar days, prior to commencing self-isolation for COVID-19 diagnosis. The workplace attendance was agreed by me in advance.

2. The employee has provided me with satisfactory medical evidence of the COVID-19 test date and the positive test result.

3. I have received the OHS Health Assessment Report in respect of this employee which states the following:

(a) the employee is medically unfit to resume work

(b) the employee’s absence relates primarily to ongoing COVID-19 illness

(c) the employee is accessing appropriate medical care

I have approved the extension of leave category ‘COVID-19: Diagnosis’ for the period, as detailed below.

Date From: _____

Estimated End Date (as provided in the OHS Health Assessment Report):

Signature: _____ Date: _____

(Employer)

Supporting Documentation should NOT be submitted to the Department of Education. They should be retained in the ETB with any other relevant documentation for record and audit purposes with the relevant personnel records.

Data Protection Privacy Statement

ETBs should insert a link to their Privacy Statement here when making the form available for use

¹ The workplace includes any location, outside the home, an employer requires an employee to attend as part of the role.

Appendix C – Declaration Form – Restricted Movement Group

The Declaration Form must be completed by the employee who has been HSE/medically advised to restrict his/her movements. The completed form must be accompanied by HSE/medical certification, including the date of fitness to return to work (where this date is available). Where HSE/medical certification is unavailable, the employer may accept a copy of the relevant HSE text message notification/confirmation.

Part 1 - Employee Details

Employee's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

Employment Centre: _____

Part 2 – Declaration

I cannot attend the workplace as I have been medically advised to restrict my movements, for the reason indicated below (tick relevant box). The completed Declaration Form is accompanied by medical/HSE certification (where available), or appropriate documentation in the case of essential travel overseas.

- I am a close contact of a confirmed COVID-19 case.
- I live with a person who has COVID-19 symptoms.
- I am providing care to a 'person' (e.g. child or someone who needs care) who is a confirmed COVID-19 case.
- I have returned from essential travel overseas (approved by my employer).
- I have COVID-19 symptoms but do not meet the criteria for a COVID-19 test. However, I must restrict my movements until I am 48 hours symptom free.
- I have been notified of a negative COVID-19 test result and must self-isolate until I am 48 hours symptom free.

Start Date (DD/MM/YYYY): _____ Estimated End Date (DD/MM/YYYY): _____

I am available for work in accordance with the terms and conditions of Circular 0031/2021 titled 'Coronavirus (COVID-19): Arrangements for Staff other than Teachers and Special Needs Assistants employed in ETBs.

I confirm that the information provided in the declaration is true and accurate.

Signature of Employee: _____ Date: _____

Part 3 – Employer Record

<p>HSE/Medical Certification or Confirmation (or copy of text message screenshot, where appropriate) or appropriate documentation in the case of essential travel overseas provided <input type="checkbox"/></p> <p>Alternative working arrangements approved (tick relevant box) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Signature: _____ Date: _____ (Employer)</p> <p><i>Application Form/Supporting Documentation should NOT be submitted to the Department of Education. They should be retained in the ETB with any other relevant documentation for record and audit purposes with the relevant personnel records.</i></p>
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<p style="text-align: center;">Data Protection Privacy Statement</p> <p style="text-align: center;">ETBs should insert a link to their Privacy Statement here when making the form available for use</p>
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Appendix D – Declaration Form – Very High Risk Group

The Declaration Form must be completed by the employee where the Occupational Health Service (OHS) 'COVID-19 Health Risk Categorisation Report' has stated that he/she is at a very high risk of serious illness from contracting COVID-19 and is advised to cocoon. The completed form accompanied by the OHS 'COVID-19 Health Risk Categorisation Report' must be submitted to the employer as soon as possible.

Part 1 - Employee Details

Employee's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

Employment Centre-_____

Part 2 – Declaration

Based on the attached OHS 'COVID-19 Health Risk Categorisation Report', I am at a very high risk of serious illness from contracting COVID-19 and I am advised to cocoon.

I am available for work in accordance with the terms and conditions of Circular 0031/2021 titled '*Coronavirus (COVID-19): Arrangements for Staff other than Teachers and Special Needs Assistants employed in ETBs.*

Signature of Employee: _____ Date: _____

Part 3 – Employer Record

OHS 'COVID-19 Health Risk Categorisation Report' provided

Alternative working arrangements approved (tick relevant box) Yes
No

Signature: _____ Date:

(Employer)

Application Form/Supporting Documentation should NOT be submitted to the Department of Education. They should be retained in the ETB with any other relevant documentation for record and audit purposes with the relevant personnel records.

Data Protection Privacy Statement

ETBs should insert a link to their Privacy Statement here when making the form available for use

Appendix E – Summary for Pregnant Employees

- Submit a [COVID-19 Risk Assessment Questionnaire](#) to OHS during your first trimester.
- All pregnant employees up to 14 weeks gestation should attend the workplace unless they are categorised by OHS as ‘Very High Risk’.
- For a non-COVID-19 related high risk pregnancy, where you are medically unfit for work, the terms and conditions of the Sick Leave Scheme will apply.
- Your employer must carry out a workplace pregnancy risk assessment required.

Vaccination Status?

- Your vaccination status will be taken into consideration by OHS in the [COVID-19 Risk Assessment Questionnaire](#)
- Certain immunosuppressive conditions and treatments may affect the efficacy of COVID-19 vaccines, this will be taken into account by OHS.
- Up to 14 weeks gestation, unvaccinated without any underlying medical conditions? => attend workplace
- From 14 weeks gestation:
 - Unvaccinated without any underlying medical conditions? => attend workplace
 - One vaccination, awaiting second, without underlying medical conditions? => attend workplace
 - Significant vaccine protection, without any underlying medical conditions? => attend workplace

Very High Risk Category?

- If you have any of the medical conditions as listed on the [HSE website](#) under ‘very high risk’ groups (extremely vulnerable), OHS will assess whether you are in ‘Very High Risk’ category.
- From 14 weeks gestation:
 - If you have ‘significant vaccine protection’, you will be categorised as ‘High Risk’ and must attend the workplace.
 - If you do not yet have ‘significant vaccine protection’, and have an underlying medical condition, you will be categorised by OHS as either ‘High Risk’ or ‘Very High Risk’. Where you are categorised by OHS as:
 - ‘Very High Risk’, you do not attend the workplace but remain available to work from home.
 - ‘High Risk’ you must attend the workplace.