

# JOINT NEGOTIATING COUNCIL FOR THE EDUCATION AND LIBRARY BOARDS

17 September 2007

**To: Chief Executives  
Council Members  
MSO/TUSO**

## **Joint Negotiating Council Circular No. 129 (Third Revision)**

### **Career Breaks Scheme – Education and Library Boards**

The Joint Secretaries of the Joint Negotiating Council have agreed the revised Career Breaks Scheme. The revision sets out the requirements, under Regulation 14(5) of the Local Government (Superannuation) Regulations (NI) 1981, for staff who take a career break and wish to pay superannuation contributions either during or at the end of their career break.

A copy of the Scheme is attached as an appendix to this Circular.



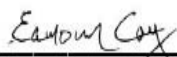
Management Side Secretary  
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Trade Union Side Secretary  
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Trade Union Side Secretary  
A Mills

## **CAREER BREAKS IN EDUCATION AND LIBRARY BOARDS**

### **1. INTRODUCTION**

This document, which was agreed by the Joint Secretaries of the Joint Negotiating Council, sets out arrangements for special leave without pay for career break.

### **2. OBJECTIVES**

The objectives of the career breaks scheme are to provide new job opportunities in the Education and Library Boards and facilitate employees who wish to take a career break.

A career break may be allowed for most purposes including further education, domestic responsibilities, starting one's own business, maintaining a family/partner's business or a stay abroad.

A career break will not be allowed for the purposes of taking up alternative salaried or wage earning employment in Northern Ireland within the meaning of Schedule E for income tax assessment unless the prior written approval of the Board has been obtained. Such approval will only be given in exceptional circumstances.

### **3. ELIGIBILITY**

Staff who have satisfactorily completed their probation and who have not reached normal retirement age may apply for special leave without pay for a career break. The duration of the break may not extend beyond retiring age.

Applications will be facilitated wherever possible within the terms of this agreement.

Applications from staff in specialist posts or small units may have to be treated separately. Instead of such posts being filled on a substantive basis in accordance with paragraph 9 of this agreement, the post should initially be filled on either a temporary or fixed term basis in accordance with the normal mechanism for filling posts.

There will be no formal right of appeal against a refusal.

### **4. DURATION AND NUMBER OF CAREER BREAKS**

Special leave without pay for a career break may be granted for a period of not less than one year and for any period in full calendar months in excess of a year up to a maximum of three years.

A career break may be extended twice for a period of not less than one year on each occasion provided that the total period of special leave does not exceed three years in total.

One additional career break may be granted provided the period of service between career breaks is not less than the initial career break (including any extensions) and that the total period of leave does not exceed three years in total.

**5. CONDUCT DURING CAREER BREAK**

During a career break an officer will be subject to Education and Library Board requirements in matters of conduct. Disciplinary action, where appropriate, may be taken.

**6. APPLICATIONS**

Applications giving at least 3 months notice (unless circumstances make it impossible) should be made in writing to the officer's Head of Department through their immediate supervisor. It should state the purpose of the career break and the period of time for which it is sought.

The date on which a career break begins will be a Management decision taking into consideration inter alia the circumstances of the application and the likely time lag in filling the vacancy.

Employees on a career break should provide the Board with, and regularly update, a forwarding address.

**7. NON-RECKONABILITY**

Special leave without pay for a career break will not count as service towards qualifying for annual leave, sickness leave, redundancy notice or other service related benefits, and will not reckon for increments. Service before and after a career break may be accrued for these purposes.

**8. RESULTING VACANCIES**

Vacancies arising when employees take career breaks will normally be filled, as may consequential vacancies, including those at basic recruitment level in accordance with the Code of Procedures on Recruitment and Selection.

**9. RETURN TO DUTY**

Officers returning from a career break will not normally be assigned to their former post but to vacancies in their grade. It is the intention of the Board to reassign officers at the end of the career break but in some circumstances some delay may be unavoidable.

If prior to the commencement of a career break an employee was working in a specialist post or a small unit (see paragraph 3) the vacancy resulting from which was filled in a temporary or short-term capacity, that officer will return to their original post.

Officers on a career break must contact their Board three months before they are due to return to:-

- a. confirm that they intend to return on the due date or agree an alternative date;
- b. apply for an extension of the career break;
- c. indicate that they wish to resign from their post.

In addition officers who take career breaks of more than one year's duration must contact their Board at the end of each twelve month period to confirm their intention to resume work in the Board.

Officers who are unable to resume duty on the due date because of illness will be required to produce a medical certificate.

Sympathetic consideration will be given to officers wishing to return early from a career break where specific reasons warrant such early resumption.

**10. PROMOTION**

Officers on career breaks will be eligible to apply for promotion opportunities.

**11. OTHER UNPAID LEAVE ARRANGEMENTS**

Other unpaid leave arrangements will continue to apply.

The absence of an officer on maternity leave, either paid or unpaid, will not be regarded as a career break and will not be taken into account in respect of paragraph 4.

**12. SOCIAL SECURITY AND INLAND REVENUE ARRANGEMENTS**

It is the responsibility of individual officers taking a career break to contact the Department of Health and Social Services to determine whether they are entitled to any social security benefits and to check the position as regards national insurance contributions.

Officers on a career break who take up employment or are engaged in business should contact their local office of the Inland Revenue.

**13. SUPERANNUATION**

The local government pension scheme regulations provide that an employee on unpaid leave of absence must pay contributions for the first 30 days of unpaid leave. Benefits will then be preserved for the remainder of the career break. On return to their post, employees may elect to make contributions to cover their period of unpaid leave. If the employee opts to pay contributions to cover this period of absence, the Board will also pay the employer's portion. The maximum period of unpaid leave that may be included for purposes of contributions is 36 months. The employee must make application in writing to the Board within 30 days of returning to work following a career break. Alternatively, if the employee resigns from his or her post at the end of a career break they should inform the Board in writing within 30 days of the date employment ends, if they wish to make contributions for the period of the career break. If contributions are not subsequently made to cover the period of unpaid leave, the career break will therefore not count towards the total period of membership of the superannuation scheme.

Following a career break, a decision on whether or not to pay contributions for the period of unpaid leave, may have long-term implication for the benefits ultimately payable and it may be advisable to seek advice from NILGOSC (Tel. 028 90768025).