

FAQs

COVID 19 Update for Staff in IADT

Special Leave with Pay

Special leave with pay will be granted for the purpose of self-isolation or where staff are diagnosed with COVID 19 and this leave will not be recorded as sick leave. Once staff are fit to return to work, please notify the HR Department of their return.

In the normal way, any failure to comply with processes could result in pay being withheld.

Flexitime

Flexitime will be suspended until we return working normally on site.

Who should self-isolate?

The HSE sets out the latest criteria for self-isolation for anyone who has symptoms of coronavirus at:

<https://www2.hse.ie/conditions/coronavirus/self-isolation-and-limited-socialinteraction.html>

What happens if staff need to self-isolate?

Employees should follow the guidance set out by the HSE and/or their doctor.

This includes those with symptoms before being tested, awaiting testing or following a positive result. Special leave with pay should apply when an employee is advised to self-isolate. Medical or HSE advice should be followed.

Should self-isolation be recorded as special leave with pay or sick leave?

Special leave with pay should apply when you are advised to self-isolate. Medical or HSE advice should be followed.

Who should self-quarantine?

The HSE sets out the latest criteria for self-quarantine for those who are a close contact of a confirmed case of coronavirus at:

<https://www2.hse.ie/conditions/coronavirus/self-isolation-and-limited-socialinteraction.html>

If medical/HSE advice is that the employee should self-quarantine, and they are not ill, then you should continue to work from home.

If you have been advised to self-quarantine, and are not ill, but do not have access to remote working, your manager should explore every possible avenue of making a suitable arrangement. Managers should maintain regular contact with employees in self-quarantine and continue to explore opportunities for work which can be performed at home both inside and outside the organisation as critical services come under increasing pressure.

As a last resort, on a case by case basis, special leave with pay for employees who are not displaying symptoms but are required to self-quarantine may apply.

Should employees in self-quarantine return to work if a negative result for coronavirus is returned following testing but still have symptoms?

Medical or HSE advice should be followed. If you are still feeling unwell following a negative diagnosis, then you should notify your manager and apply for certified or un-certified sick leave under existing rules and guidelines.

How should advice of the need to self-isolate and self-quarantine be recorded?

Appropriate medical/HSE confirmation of the need to self-isolate/ self-quarantine and/or a diagnosis of COVID-19 will be required. In the event that written confirmation is not available, the recording of medical or HSE advice to self-isolate/ self-quarantine will take the form of a self-declaration. This does not mean that you can voluntarily choose to self-isolate/ self-quarantine. Medical/HSE advice will be required, however the reporting of same will take the form of a self-declaration. A Self-Declaration form will be circulated to all staff later today.

Self-declarations need to be retained by the Manager and then sent to HR to be placed on the individual's personnel file and will be subject to audit.

An employee is on special leave with pay, can they claim the DEASP5 Illness Benefit for COVID-19?

No. Public service employees who can avail of the special leave with pay for COVID-19 are excluded from claiming the special DEASP COVID-19 illness benefit payment. Any instances of civil or public servants found to be in receipt of both special leave with pay and the COVID-19 illness benefit will be subject to disciplinary action.

What if an employee contracts COVID-19 whilst on special leave with pay?

If you are already on special leave with pay as a preventative measure, and subsequently falls ill, then the special leave with pay will continue, rather than sick leave, if you are medically diagnosed (including a medically presumptive diagnosis) with COVID-19. However, the continuation of special leave with pay will require medical confirmation from a doctor for the duration. Special leave with pay should continue to be recorded, however the rules of sick leave (for example, in relation to contact with manager or HR) will apply.

What happens if, after the period of self-isolation, an employee does not have the COVID-19 virus?

When the recommended period of self-isolation is passed, please follow medical advice and/or HSE guidelines on return to work.

What happens if a colleague in my workplace is diagnosed with COVID-19?

The HSE will inform you via the contact tracing process who have come into close contact with a diagnosed case. The HSE will also advise IADT . The instructions of the HSE should be followed and employee confidentiality is essential at all times.

What if an employee does not have COVID-19 but has another illness?

Any non-COVID-19 illness will be recorded ordinary certified sick leave and the usual rules governing sick leave will apply.

What if an employee has returned from travel in a DFA6 advised restricted area?

A decision as to whether or not you should attend the workplace should be based on HSE advice/guidelines and/or medical advice.

Can the employer ask employees not to attend work?

It is reasonable in certain circumstances that IADT may ask you to go home and/or stay at home as a precaution. If an employee develops 'flu-like symptoms they should immediately be separated from others and sent home (not using public transport, if possible). In these instances this would be treated as special leave with pay. Please see the Department of Health guidelines for the most up to date information on this.

IADT has decided that staff for the most part can work from home. Where staff do not have access to remote working, we are continuing to explore every possible avenue of making a suitable arrangement. This includes assignment to other work which would more effectively facilitate temporary home working. As a last resort, on a case by case basis, special leave with pay for employees who are not displaying symptoms but are required to self-quarantine as a precaution may apply.

What about employees who are at high risk for serious illness from Covid-19?

There are groups of people who may be at more risk of serious illness from COVID-19. The current advice on this group is available from the HSE for the current delay phase of COVID-19. Protective self-separation is recommended for a person who is at high-risk of severe illness from COVID-19, when the virus is circulating in their community. This means being extra vigilant with washing hands and avoiding large groups of people both indoors and outdoors.

Under Section 8 Health, Safety and Welfare at Work Act the employer has a duty to ensure employees' safety, health and welfare at work as far as is reasonably practicable. On this basis, employees should adhere to social distancing protocols and to encourage staff to take every day preventative actions to minimise their risk.

IADT will advise employees to self-declare if they believe that they are at higher risk and we will give priority to such staff to facilitate flexible working arrangements, including working from home right through the pandemic and in the event that we are returning to work on the 29th March.

What if an employee advises that their child's school or childcare service is closed due to COVID-19?

Given the Taoiseach's announcement on 12 March 2020 that all schools and childcare facilities are closed from 6pm on 12 March until 29 March 2020. IADT recognizes the impact staff working from home with parental responsibilities and it is acknowledged that staff may not be in a position to work regular hours during this time. Working outside normal hours can be agreed through keeping in contact with your manager.

What are flexible working arrangements?

TEMPORARY HOME WORKING

Given that employees are working from home at this point. The Health and Safety Authority (HSA) as produced new guidance for temporary home working arrangements. This is very useful information and provides practical guidance for both employers and employees in managing temporary home working during COVID-19.

The Data Protection Commission have also issued useful guidance on protecting personal data when working remotely. You can find the Data Protection Commission guidance website.

Will public service employees be moved to other essential roles during the COVID-19 emergency?

COVID-19 is potentially the most significant crisis faced by our country for many years. Our primary focus in the civil and public service is to support the health and wellbeing of all our citizens. To achieve this, and to keep delivering the crucial services to society, especially the most vulnerable and at-risk, we need to come together and work as a unified public service.

As part of the national response to COVID-19, all public servants must work together to meet critical needs which are evolving as the situation unfolds. We need to be flexible in how we tackle this and find ways to deliver the critical public services needed to support our communities. We all have a part to play in seeing this crisis through, and this will involve finding creative and innovative ways to deliver public services.

IADT staff may be asked on a temporary basis to work in a different role, or even for a different organisation in order to meet critical work needs. This will also apply to employees who need to be at home for caring responsibilities (for example due to primary school/crèche closure), where temporary assignment to other duties would more effectively facilitate temporary home working or other flexible working options and help deliver critical services.

What is the legal basis for processing employee data in relation to COVID-19?

Civil and Public Service employers are obliged to provide a safe workplace, which may include the processing of health data in order to ensure that safety. Articles 6(1)(c), Articles 9(2)(b) and (g), along with section 53 of the Data Protection Act, 2018 (which permits the processing of special categories of personal data for purposes of public interest in the area of public health) will likely be the most appropriate legal bases for processing this data. For further information please visit the Data Protection Commission website.