



**To: The Managerial Authorities of Recognised Primary, Secondary, Community
and Comprehensive Schools
and
The Chief Executives of Education and Training Boards**

**Partial Return to Work for Special Needs Assistants employed in Recognised
Primary and Post Primary Schools - 2020/21 School Year**

1. Introduction

- 1.1 Under the Employment Equality Acts, employers are required to take reasonable steps to accommodate the needs of employees and prospective employees with disabilities (as defined in the Employment Equality Acts).
- 1.2 Details on reasonable accommodation is contained in paragraph 12 of [Circular 60/2019](#) titled '*Sick Leave Scheme for Special Needs Assistants employed in Recognised Primary and Post Primary Schools*'.

2. Partial Return to Work (PRW)

- 2.1 To assist employers in exploring reasonable accommodation requirements, PRW for SNAs is introduced on a pilot basis for the 2020/2021 school year, with effect from the date of this Information Note.
- 2.2 This provision is being made available to facilitate an SNA recovering from an illness to transition back to full duties over an agreed limited period of time. Access to a PRW is not an automatic entitlement and is subject to the recommendation of the OHS and the approval of the employer.
- 2.3 At the end of this period, it is expected that the SNA shall have reached sufficient medical fitness to allow him/her to undertake full duties on a whole time basis.
- 2.4 The employer should ensure all reasonable steps are taken to facilitate the PRW arrangement. Decisions on PRW applications should be recorded by the employer.
- 2.5 The approved PRW arrangement will commence on an agreed date. The exact duration of a PRW arrangement will be based on the advice of the OHS and is permitted for a maximum period of one school term. PRW may commence at any time within a school term but shall not extend beyond the end of that term.
- 2.6 An early return to full duties from PRW may take place subject to OHS approval and agreement with the employer on an agreed date.
- 2.7 The SNA availing of the PRW must undertake to carry out their responsibilities in accordance with their contract for a minimum of 2 full school days every week. The SNA will be paid their full rate of pay for the days worked.
- 2.8 The remaining days on which the SNA does not work during the PRW (including weekends) must be recorded as Sick Leave and notified to the Department/ETB via the OLCS/relevant ETB System. The OHS recommendation for PRW is sufficient evidence for the employer to record these Sick Leave absences. The appropriate rate

of sick pay/TRR will be applied in accordance with the terms of the Sick Leave Scheme as outlined in Circular 0060/2019.

- 2.9 The employer has the right to withdraw approval of any PRW arrangement if it is not operating in the best interests of the pupils/school.
- 2.10 The employer may appoint a substitute SNA, paid by the Paymaster, to cover the days that the SNA, availing of the PRW arrangement, is absent on Sick Leave. This must be recorded by the employer via the OLCS/relevant ETB system.

3. Circulation of Information Note

- 3.1 Please ensure that copies of this Information Note are provided to all members of the Board of Management/Education and Training Boards and its contents are brought to the attention of all SNAs in your employment, including those on leave of absence.
- 3.2 This Information Note can be accessed on the Department's website at www.education.ie.

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