



Circular Letter 0042/2021

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

**Coronavirus (COVID-19):
Arrangements for Teachers and Special Needs Assistants
employed in recognised Primary and Post Primary schools**

The Minister for Education directs you to implement the special arrangements to cater for COVID-19 for 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 teachers and SNAs in each sector 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 0021/2021 titled 'Coronavirus (COVID-19): Arrangements for Teachers and Special Needs Assistants employed in recognised primary and post primary schools'. The Circular also supersedes Information Note TC 0013/2021 and TC 0025/2021.

Please ensure this Circular is circulated to all members of the Board of Management/Education and Training Board and that its contents are brought to the attention of all 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 their representative organisation. Any further queries in relation to this Circular may be directed to the Department at the following e-mail address:
teachersna@education.gov.ie.

This Circular can be accessed on the Department's website at
<https://www.gov.ie/en/service/3393f-coronavirus-covid19-special-leave-with-pay-for-teachers-and-special-needs-assistants-employed-in-recognised-primary-and-post-primary-schools/>

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11th August, 2021

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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.

DPER – means Department of Public Expenditure and Reform.

Employee – means a registered teacher or a special needs assistant employed in an approved post funded by monies provided by the Oireachtas.

Employer – means an Education and Training Board (ETB) for vocational schools/community colleges, community national schools and a Board of Management/Manager in the case of primary (excluding community national schools), voluntary secondary, community and comprehensive schools. The ETB or Board of Management/Manager may delegate as appropriate responsibility for matters set out in this Circular.

EEA – means European Economic Area

ETB – means Education and Training Board.

EU – means European Union

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

GP – means General Practitioner.

HPSC – means [Health Protection Surveillance Centre](#)

HSE – means Health Service Executive.

Lead Worker Representative(s) – 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. Medmark Occupational Healthcare Ltd. is the current OHS provider.

On Line Claims System (OLCS) – means the system for recording absences and claiming substitution currently operating in primary, voluntary secondary, community and comprehensive schools.

Paymaster – means the person/organisation in charge of paying salaries; the Department of Education in the case of primary, voluntary secondary, community and comprehensive schools and the Education and Training Boards in the case of vocational schools/community colleges.

Personal Data – has the meaning given to it by Article 4 of the GDPR, which is any information relating to the data subject. For the purpose of this Circular, references to personal data include special category personal data, unless otherwise specified.

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

SNA – means Special Needs Assistant.

Special Category Personal Data - has the meaning given to it by Article 9 of the GDPR, which is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Teacher – means a person registered with the Teaching Council.

The Department – means the Department of Education.

Variant of Concern – means a variant of the virus and is caused by mutations in SARS-CoV-2 viruses which have adverse public health consequences. These consequences include an increase in transmissibility, or virulence, or a decrease in the effectiveness of vaccines, treatments, diagnostic assays or other public health measures. The situation with regard to variants of concern can change rapidly and the guidance may therefore change relatively frequently.

Workplace pregnancy risk assessment – means the risk assessment carried out by employers as required under the [Safety, Health and Welfare at Work Act 2005](#) and the Pregnancy Regulations, 2007.

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 5](#) of this Circular, which includes the working arrangements and leave arrangements that will apply to employees under the specific circumstances, as detailed.

1.3 COVID-19 Response Plan

- 1.3.1 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 school environment. It details the policies and practices necessary for a school to implement the Government's 'Work Safely Protocol', so as to prevent the introduction and spread of COVID-19 in the school environment.
- 1.3.2 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 school's COVID-19 Response Plan with employees and ensure that all appropriate risk mitigation measures are clearly in place for their protection.
- 1.3.3 It is incumbent on each employee to fully comply with the school'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.
- 1.3.4 For further information, please refer to the gov.ie website at link: <https://www.gov.ie/backtoschool>

1.4 COVID-19 Return to Work Form

- 1.4.1 As part of the school's 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, including after the summer period. A COVID-19 Return to Work Form template is available at Appendix 2 of the school's COVID-19 Response Plan.
- 1.4.2 An employee is required, as part of the school's COVID-19 Response Plan to complete the COVID-19 Return to Work Form in advance of his/her return date to the workplace.
- 1.4.3 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, either verbally or in writing to confirm that the details provided in the Return to Work Form have not changed e.g. following a short period of school

closure, a leave of absence, travel or where the employee attends the workplace infrequently. The employer should keep a record of the employee's confirmation.

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

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

1.5 Risk Assessments

1.5.1 The employer has obligations under the Safety, Health and Welfare at Work Act, 2005 to ensure the safety and welfare of staff at work. It is the duty of the employer to carry out a risk assessment to meet these obligations, including workplace pregnancy risk assessments. For specific questions on health and safety and for updated legislation, please refer to the Health and Safety Authority (HSA) at link: <https://www.hsa.ie>.

1.5.2 The employer should also review existing risk assessments to consider any new risks that arise due to the school's COVID-19 Response Plan. Any changes to the school's current risk assessments should be documented and incorporated into the school's Safety Statement.

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 school's COVID-19 Response Plan.

1.7 Covid-19 Vaccinations

1.7.1 Where an employee has a COVID-19 vaccination appointment during school hours, the absence will be treated in the same manner as other medical appointments.

1.7.2 In this regard, paragraph 1.3 of the Sick Leave Scheme as contained in Circular 0054/2019 for teachers and Circular 0060/2019 for SNAs refers.

'Sick Leave may be granted to a teacher or SNA who is unable to perform his/her duties

- because of illness, injury or

- when absent for the purpose of obtaining medical related services (e.g. Doctor/Dentist) provided such appointments could not have been arranged outside of regular working hours or working days.'

1.7.3 Similar to the Sick Leave Scheme, the employee should provide confirmation of the vaccination appointment.

1.7.4 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.

1.8 Data Protection and GDPR

- 1.8.1 The Department requires the personal data provided, for the processing of special leave with pay and substitute claims. Full details of the Department's Data Protection Policy setting out how personal data will be used including information regarding rights as a data subject are available on the Department's website. Details of ETB's Data Protection Policy are available from the relevant ETB.
- 1.8.2 Article 6(1)(c) in conjunction with Article 9(2)(b) of the GDPR permits the processing of special category personal 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 personal 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.
- 1.8.3 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 'significant vaccine protection', as defined in this Circular, and who has been advised by the HSE they are a close contact of a confirmed COVID-19 case, will be required to inform their employer. The HSE rules around restricted movement have changed for individuals with 'significant vaccine protection'. In certain circumstances determined by the HSE, such 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 will need to establish 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.
- 1.8.4 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 and in line with the public health advice which pertains at the particular time.
- 1.8.5 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.

1.9 Compliance

- 1.9.1 Failure by an employee to abide by the special arrangements set out in this Circular may be dealt with under the current disciplinary procedures.

1.10 Employee Assistance Service

1.10.1 The [Employee Assistance Service](#), which is currently provided by Spectrum.Life, is available as a supportive resource for employees. The free phone confidential helpline is 1800 411 057 and is available 24 hours a day, 365 days a year.

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 5](#) (Table 1) or
 - b) diagnosed with COVID-19, as detailed in [Chapter 5](#) (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 has been granted special leave with pay the employer may appoint a substitute, paid by the Paymaster.
- 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 school 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 OLCS/relevant ETB system. Under the OLCS leave category, this is recorded under 'Personal Leave', sub-category titled 'COVID-19: Self-Isolation' or 'COVID-19: Diagnosis'.

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 An employee may be HSE/medically advised to self-isolate under the specific circumstances, as detailed in [Chapter 5](#) (Table 1).
- 2.3.2 The current criteria for self-isolation, and [as updated by the HSE](#) must be followed.
- 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 OLCS/relevant ETB system.
- 2.3.6 Where the employee's COVID-19 test is negative, please refer to [Chapter 5](#) (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, irrespective of vaccine status.
- 2.4.2 Special leave with pay will be granted by the employer, subject to the employee providing:
- a) satisfactory medical evidence of the COVID-19 positive test result, including test date
 - b) satisfactory HSE/medical certification to support the COVID-19 absence
 - c) a completed Application Form (see [Appendix A](#))
- 2.4.3 Please refer to [Chapter 5](#) (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 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 school 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 regard, employers are advised to keep an updated record of all teachers/SNAs 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.

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

- 2.5.3 Where an employee commenced special leave with pay following a COVID-19 diagnosis in 2020 and remained absent on 1st January, 2021, the 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 this has not already been done.
- 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:
- inform the employee of the decision to refer him/her to the OHS.
 - 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".
 - 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.
 - 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:
- Whether the employee is fit or unfit for work.
 - If unfit for work whether the absence relates primarily to ongoing COVID-19 illness.
 - If unfit for work whether the employee is accessing appropriate medical care.
 - 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.
 - Any other relevant information in keeping with medical confidentiality.
- 2.5.9 Where an employee was recorded on the OLCS/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 For non-ETB schools, the following process must be followed for the recording of special leave with pay:
- 2.5.10.1. Where an employee is absent in excess of 28 days and pending the employer's receipt of the OHS Health Assessment Report, the Employer Declaration Form at [Appendix B](#) must be completed and sent to the Department, where the leave period will be recorded on the On Line Claims System (OLCS) under leave category 'COVID-19: Diagnosis'.
- 2.5.10.2 The employer must complete the Employer Approval Form at [Appendix C](#), where the OHS Health Assessment Report states the following:
- 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.

2.5.10.3 The completed Employer Approval Form must be e-mailed to the Department (teachersna@education.gov.ie) where the leave will be recorded on the On Line Claims System (OLCS) under leave category 'COVID-19: Diagnosis'.

2.5.11 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 OLCS/relevant ETB System and the terms and conditions of the Sick Leave Scheme will apply. In this regard, for non-ETB schools, in order for the leave category 'COVID-19: Diagnosis' period in excess of 28 days to be cancelled on the OLCS, the employer must notify the Department using the 'Cancel Staff Member on Leave' form available on the landing page of the OLCS.

2.5.12 An employee may appeal the OHS decision in accordance with the procedures detailed below. The medical 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) Where there is a change in medical status related to COVID-19, within a 14-day period since the OHS original decision, this medical information can be submitted by the employee to the OHS for consideration, as part of the appeal. Only medical information available to the OHS 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. Outside of this 14-day period the employer needs to submit a new online referral for the employee.
- 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 based on the opinion of the appeal doctor.
- 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.

2.5.13 The 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 OLCS/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 There have been important 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 is 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.
- 3.1.2 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/>
- 3.1.3 The current criteria for restricted movement, as updated by the HSE from time to time, must be followed.
- 3.1.4 Please refer to [Chapter 5](#) (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 and employees should ensure that they are aware of the most up to date information 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 D](#) 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 4.6](#).
- 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 by the employer under the OLCS leave category 'Personal Leave', sub-category titled 'COVID-19: Restricted Movement' or 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 application, in advance, for that period of restricted movement, where it falls on their return to work due date. This application should be in line with the terms and conditions, as detailed in the Department's publications. This period of Unpaid Leave is part of the normal entitlement of 10 school days in the school year. An employee is required to inform his/her employer when they are available to return to work, following the restricted movement period, where this applies. Where an employee is absent on approved Unpaid Leave, the employer may appoint a substitute, paid by the Paymaster. 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' group is at:
<https://www2.hse.ie/conditions/coronavirus/people-at-higher-risk.html>.
- 4.1.2 The HSE has recently published '[Education Sector Guidance on Employees in the COVID-19 Higher Risk Categories, including Pregnant Employees](#)'.
- 4.1.3 Where the OHS previously categorised an employee as 'Very High Risk' at any time before or during the 2020/21 school year, the COVID-19 Health Risk Categorisation Report expired on 30th June, 2021.
- 4.1.4 For the 2021/22 school year, having considered the HSE advice, the HSE Guidance for the education sector 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.
- 4.1.5 An employee who is over 70 years of age should also submit a COVID-19 Risk Assessment Questionnaire to the OHS, before they can attend the workplace.
- 4.1.6 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.
- 4.1.7 As knowledge of COVID-19 has increased, some medical conditions that previously placed an employee in the 'Very High Risk' group now place them in the 'High Risk' category or the 'Normal Risk' category.
- 4.1.8 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.
- 4.1.9 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 4.1.8(b) above.

- 4.1.10 Following the risk assessment carried out by the employer as required under the school's COVID-19 Response Plan, the 'High Risk' employee should take extra care to practise social distancing and hand hygiene and the use of personal protective equipment. Please also refer to the HPSC's recently published '[Guidance for Schools Regarding Special Needs Assistants \(SNAs\) Supporting Children and Young People with Additional Care Needs in the Context of COVID-19](#)'.
- 4.1.11 For an employee, where the 'OHS COVID-19 Health Risk Categorisation Report' advises that he/she is at a very high risk of serious illness from contracting COVID-19 and consequently must not attend the workplace, the Declaration Form at [Appendix E](#) must be completed by the employee and returned immediately to the employer accompanied by the OHS COVID-19 Health Risk Categorisation Report.
- 4.1.12 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 4.6](#).
- 4.1.13 Where an employee has been categorised by the OHS as 'Very High Risk' and is not attending the workplace, the employer may appoint a substitute, paid by the Paymaster. 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, due to a change in their COVID-19 health risk categorisation.
- 4.1.14 Where a 'Very High Risk' employee is medically unfit for work due to a non-COVID-19 illness, the terms and conditions of the Sick Leave Scheme will apply.
- 4.1.15 An employee categorised by the OHS as being in the 'Very High Risk' group and who is medically fit for work, must be recorded by the employer under the OLCS leave category titled 'Personal Leave', sub-category titled 'COVID-19: Very High Risk Group' or on the relevant ETB system.
- 4.1.16 Please refer to [Chapter 5](#) (Table 4) which details the working arrangements for the 'Very High Risk' group of employees.

4.2 High Risk Group

- 4.2.1 The 'high risk' group is defined by the [HSE](#) and in accordance with this 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 and the use of personal protective equipment.
- 4.2.2 In line with Chapter 1 [paragraph 1.3](#), 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 where the school is implementing the COVID-19 Response Plan and the public health advice for schools.

- 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 As knowledge of COVID-19 has increased, some medical conditions that previously placed an employee in the 'High Risk' group now place them in the 'Normal Risk' category.
- 4.2.5 Please refer to [Chapter 5](#) (Table 5) which details the working arrangements for the 'high risk' group of employees.
- 4.2.6 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

- 4.3.1 The HSE has recently published '[Education Sector Guidance on Employees in the COVID-19 Higher Risk Categories, including Pregnant Employees](#)'.
- 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 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 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, 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 the 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, 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 In accordance with paragraph 1.5.1, 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.

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

4.4 Change in COVID-19 Health Risk Categorisation during 2021/22 school year

4.4.1 The employee's COVID-19 Health Risk Categorisation Report may include an expiry date, as determined by the OHS, based on the individual assessment.

4.4.2 However, an employee's existing COVID-19 Health Risk Categorisation Report may be reviewed at any time (initiated by the employee or OHS) 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 Pregnant Employees Working in a Special Education Setting

4.5.1 Based on the HSE Guidance, it is recognised that a different workplace risk may arise in special education settings due to employees finding themselves working in intimate environments and where social distancing is more difficult. The characteristics of special education settings warrant greater care with respect to the placement of pregnant employees.

4.5.2 A pregnant employee from 14 weeks gestation, who is categorised as 'High Risk' by the OHS, should subject to paragraph 4.5.3 below, not be required to work in an environment which meets the following criteria:

- (a) **A Special Education setting** which means a special school or a dedicated special class within a mainstream primary or post primary school; with
- (b) the presence of three or more employees in a single room, throughout the working day; and
- (c) where social distancing between the employees in the special education setting is not consistently possible.

4.5.3 Where it is concluded that the above criteria apply to the working environment of the pregnant 'High Risk' employee, following a workplace risk assessment carried out by the employer, she will be relieved temporarily from attending this special education setting, during her pregnancy.

4.5.4 In this regard, in the case of a special education class in a mainstream school, the employer must prioritise the re-assignment of the pregnant employee, who meets the criteria set out in 4.5.2, to a role within the school, outside of this special education setting. An existing employee within the school, whose current role is outside this special education setting will then be re-assigned to the special education class.

4.5.5 In the case of a special education setting in a special education school, the employer must prioritise the re-assignment of the pregnant employee to an appropriate role, that is consistent with the employee's contract, outside of this special education setting if possible. An existing employee within the school, whose current role is outside this special education setting will then be re-assigned to the special education class. In circumstances, where the employer can demonstrate that this re-assignment is not possible, the employer must facilitate alternative working arrangements for the pregnant 'High Risk' employee during this period i.e. work from home.

4.5.6 For a pregnant employee working in a special education setting who cannot be re-assigned as outlined at paragraph 4.5.5 and consequently must not attend the

workplace, the Declaration Form at [Appendix F](#) must be completed by the employee and returned immediately to the employer.

4.5.7 Where the 'High Risk' pregnant employee, as categorised by the OHS, in the special education school is facilitated to work remotely, the employer may appoint a substitute, paid by the Paymaster.

4.5.8 The recording process on the OLCS/relevant ETB system for a 'Very High Risk' employee, as detailed at [paragraph 4.1.15](#) must also be followed for a pregnant 'High Risk' employee working from home.

4.6 Alternative Working Arrangements

4.6.1 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.

4.6.2 The work assigned to the employee should be determined by the employer. The employer must make every effort to assign relevant duties that support the work of the school in developing and delivering its programmes of teaching and learning for pupils/students.

4.6.3 For teachers, these duties include:

- Liaising closely with and supporting the work of the substitute teacher(s), which may include engaging directly with pupils/students.
- Taking part in online teaching of classes.
- Supporting and engaging, using online technology, the work and progress of very high risk or extremely vulnerable pupils/students who are unable to attend school.
- Participating in staff meetings, team/subject planning meetings and all other normal meetings using online technology.
- Participating in relevant professional development through emergency remote teaching technology online media.
- Developing aspects of the school's teaching resources or teaching plans.
- Reviewing and developing whole-school policies, in line with the school's priorities and in light of the current context.
- Undertaking administrative or other tasks associated with a post of responsibility (provided they hold the post of responsibility in line with relevant Department of Education publications) to the greatest extent possible using online technology.

4.6.4 For teachers who are working remotely, this may also include nomination to a Local Education Centre in order to support the learning of pupils/students from other schools who are at very high risk of serious illness from contracting COVID-19.

4.6.5 For SNAs, who continue to work under the direction of the principal or other teacher as determined by the principal, these duties include:

- Liaising closely with and working under the direction of the principal/class teacher(s).
- Liaising closely with, engaging with, advising and supporting the work of the substitute SNA. This advice can include:
 - Advice on what typically works for the child/student in school.

- Demonstration/advice/training on strategies to support the child's/student's needs.
- Support to develop a schedule to structure the child's/student's day.
- Help with provision of social stories to support their understanding of the ongoing health emergency.
- Support, advice and reinforcement to address behaviours that challenge.
- Work on providing educational or therapeutic resources / materials in collaboration with the teacher and substitute SNA.
- Supporting, engaging with and monitoring very high risk or extremely vulnerable pupils who are unable to attend school, using online technology or telephone support, if online systems are not available.
- Participating in staff meetings and all other normal meetings using online technology or by telephone, if online systems are not available.

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

4.6.6 Any 'Very High Risk' employee who is not required to be retained in providing services to their school will therefore be available to be assigned on a temporary basis to support delivery of other essential public services. Further engagement with the Education Partners will take place on the process involved and employers will be informed of the agreed process by the Department.

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

4.7.1 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.

4.7.2 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 school's policy on employee absences where the welfare and educational needs of the pupils/students must take precedence over all other considerations.

4.7.3 An employee who lives 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 school's COVID-19 Response Plan is intended to minimise the risk of transmission in the workplace.

4.7.4 Please refer to [Chapter 5](#) (Table 6) which provides details on the working arrangements that will apply.

5. Employer's Guide - COVID-19 Leave and Working Arrangements for Employees in Primary and Post Primary Schools

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) | Substitute paid by the Paymaster |
|-----|---|--|----------------------------------|
| 1 | Employee with COVID-19 symptoms awaits a medical assessment to determine if COVID-19 test is required, irrespective of whether they have significant vaccine protection or not. | Special Leave with Pay (COVID-19:Self-Isolation) applies during this period. | Yes |
| 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. | Yes |
| 3 | Employee with COVID-19 symptoms has been notified of a negative COVID-19 test result and is advised by the HSE to attend for a second test. | Special Leave with Pay (COVID-19:Self-Isolation) applies during this period. | Yes |

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) | Substitute paid by the Paymaster |
|-----|--|---|----------------------------------|
| 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. Employee must self-isolate for the period as advised by the HSE, if he/she has a COVID-19 variant of concern. | 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 apply. 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. | Yes |
| 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 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 Further details are available at Chapter 2 paragraph 2.5 of this Circular. | Yes |

| | | | |
|---|--|---|-----|
| 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 . | Special Leave with Pay (COVID-19: Diagnosis) applies during this period | Yes |
|---|--|---|-----|

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) | Substitute paid by the Paymaster |
|-----|--|---|----------------------------------|
| 1 | Employee does not have significant vaccine protection, with no COVID-19 symptoms is advised by HSE Contact Tracing Team that he/she is a close contact 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 4.6 titled 'Alternative Working Arrangements' of Circular 0042/2021).</p> <p>(iii) Alternatively, where the employee is not medically fit to work remotely due to a non-COVID-19 illness, they are recorded as absent on Sick Leave during this period.</p> <p>(iv) Outcome of test results:- 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). 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. 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. 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> | Yes |
| 2 | Employee (regardless of vaccination status) with no COVID-19 symptoms is advised by HSE Contact Tracing Team that he/she is a close contact of a confirmed COVID-19 <i>variant of concern</i> case. | <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 4.6 titled 'Alternative Working Arrangements' of Circular 0042/2021).</p> <p>(iii) Alternatively, where the employee is not medically fit to work remotely due to a non-COVID-19 illness, they are recorded as absent on Sick Leave during this period.</p> <p>(iv) Outcome of test results:-</p> | Yes |

| | | | |
|---|--|--|----------------|
| | | Negative test result: Where 10 days after last contact with a confirmed case, the COVID-19 test is negative (COVID-19 not detected), and the employee has no symptoms, he/she employee can cease their restricted movement. | |
| 3 | Employee with no COVID-19 symptoms, who has significant vaccine protection/has previously recovered from COVID-19 is advised by the HSE Contact Tracing Team that he/she is a close contact of a confirmed COVID-19 case. | Employee is not required to restrict their movements, provided they meet the criteria set out on the HSE website | Not applicable |
| 4 | Employee with no COVID-19 symptoms lives with a 'person' who has COVID-19 symptoms. This 'person' must arrange a COVID-19 test. | Special Leave with Pay does not apply during this period. (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:- (a) Negative test result: the employee ceases restricted movement immediately and returns to the workplace. (b) Positive test result: the employee is identified as a close contact and scenario 1 in Table 3 applies immediately. | Yes |
| 5 | 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 they are 48 hours symptom free. | (i) Special Leave with Pay does not apply during this period (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. (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 4.6 titled ' <i>Alternative Working Arrangements</i> ' of Circular 0042/2021). | Yes |
| 6 | 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 remotely for this period (see Chapter 4 paragraph 4.6 titled ' <i>Alternative Working Arrangements</i> ' of Circular 0042/2021). 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. | Yes |
| 7 | 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. (iii) Employee remains available for work and should be facilitated to work remotely for the 17-day consecutive period (see Chapter 4 paragraph 4.6 titled ' <i>Alternative Working Arrangements</i> ' of Circular 0042/2021). | Yes |
| 8 | 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 scenario 1 in Table 3 applies. In instances where the employee is a casual | Not applicable |

| | | | |
|----|---|---|----------------|
| | | contact, they should attend the workplace as normal and be aware of COVID-19 symptoms. | |
| 9 | 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 | Not applicable |
| 10 | 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 | Not applicable |
| 11 | Employee has travelled overseas. 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 | Special Leave with Pay does not apply where a quarantine period is required on return to Ireland. Travel Overseas: Employee must make provision by way of an Unpaid Leave application for the required period of restricted movement on return to Ireland, in line with the terms and conditions, as detailed in the Department's publications. This period of Unpaid Leave is part of the normal entitlement of 10 school days in the school year. | Yes |

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) | Substitute paid by the Paymaster |
|-----|--|--|----------------------------------|
| 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 cannot attend the workplace. (iii) The employee who is medically fit for work, should be facilitated to work remotely (see Chapter 4 paragraph 4.6 'Alternative Working Arrangements' of Circular 0042/2021). (iv) In the case of an 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. | Yes |
| 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: teachersna@education.gov.ie . | Not applicable |
| 3 | Employee is advised to restrict their movements 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 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 4.6 titled ' Alternative Working Arrangements ' of Circular 0042/2021). This temporary period must be recorded by the employer under the OLCS leave sub- | Yes |

| | | | |
|--|--|---|--|
| | | category 'Personal Leave', sub-category titled 'COVID-19: Very High Risk Group' or 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 | Substitute paid by the Paymaster |
|-----|---|--|----------------------------------|
| 1 | Employee is at high risk of serious illness ⁵ 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 practise social distancing and hand hygiene and the use of personal protective equipment. See Chapter 4 paragraph 4.2 of Circular 0042/2021 regarding the school's COVID-19 Response Plan. | Not applicable |

Table 6 – Employee with caring or childcare responsibilities or living with high risk or very high risk individual refer to Chapter 4 paragraph 4.7 of this Circular)

| No. | Scenario | Leave Status | Substitute paid by the Paymaster |
|-----|---|--|--|
| 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. | Yes, where personal/family leave is granted. |
| 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. | Yes, where personal/family leave is granted |

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 Application 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 Application Form.

Part 1 - Employee Details

Employee's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

School Name: _____ Roll No: _____

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 0042/2021 titled ‘*Coronavirus (COVID-19): Arrangements for Teachers and Special Needs Assistants employed in Recognised Primary and Post Primary Schools*’.

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"/> |
| Recorded on OLCS/relevant ETB system under ‘COVID-19: Self-Isolation’ or ‘COVID-19: Diagnosis’ (as appropriate) | <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 school/ETB with any other relevant documentation for record and audit purposes with the relevant personnel records.</i> | |

Data Protection Privacy Statement

The main purpose for which the Department requires you to provide this personal data to your employer is to enable your Special Leave with Pay to be processed. Your employer will retain your Application Form and accompanying documents in accordance with their Data Protection policy. Further information in relation to this policy is available on request from your employer.

The Privacy Notice outlining further information in relation to this Application Form can be found at: <https://www.education.ie/en/The-Department/Data-Protection/gdpr/gdpr.html> Full details of the Department's Data Protection policy setting out how we will use your personal data as well as information regarding your rights as a data subject are available at <https://www.education.ie/en/The-Department/Data-Protection/>. Details of this policy are also available in hard copy from Teacher/SNA Terms & Conditions Section, Department of Education, Cornamaddy, Athlone, Co. Westmeath, N37 X659, upon request.

Appendix B

Appendix B – Employer Declaration Form (for non-ETB schools)

COVID-19 Diagnosis: Absence beyond 28 days

The Employer Declaration Form must be completed where an employee is absent in excess of 28 days, so that the absence can be recorded by the Department on the On Line Claims System (OLCS). The completed Declaration Form should be e-mailed by the employer as soon as possible to: teachersna@education.gov.ie

Part 1 – Employee Details

Teacher/SNA's Name: _____ Contact No.: _____

Home Address: _____

E-mail Address: _____ PPSN _____

School Name: _____ Roll No.: _____

Part 2 – Employer Declaration

1. The above named employee is currently absent from work for the period, as detailed below.

Commencement date of 'COVID-19: Diagnosis' Leave: _____
(recorded on OLCS)

Last date of 'COVID-19: Diagnosis' Leave (day 28): _____
(recorded on OLCS)

2. The employee was referred to the OHS on: _____ (insert date)

3. I hereby instruct the Department to record the period below on the OLCS, whilst the OHS Health Assessment Report is awaited.

Date (day 29 of absence) _____

Estimated End Date: _____ (pending OHS assessment outcome)

Signature: _____ Date: _____
(Employer)

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

Data Protection Privacy Statement

The main purpose for which the Department requires the personal data provided by the employer is to record the leave category 'COVID-19: Diagnosis' on the OLCS. The Privacy Notice outlining further information in relation to this application form can be found at: <https://www.education.ie/en/The-Department/Data-Protection/gdpr/gdpr.html>. Full details of the Department's Data Protection policy setting out how we will use personal data as well as information regarding the rights of the data subject are available at <https://www.education.ie/en/The-Department/Data-Protection/>. Details of this policy are also available in hard copy from Teacher/SNA Terms & Conditions, Department of Education, Cornamaddy, Athlone, Co. Westmeath, N37 X659, upon request.

Appendix C – Employer Approval Form (for non-ETB schools) - 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 so that the absence can be recorded by the Department on the On Line Claims System (OLCS). The completed Employer Approval Form should be e-mailed by the employer as soon as possible to: teachersna@education.gov.ie.

Part 1 – Employee Details

Teacher/SNA's Name: _____ Contact No.: _____

Home Address: _____

E-mail Address: _____ PPSN: _____

School Name: _____ Roll No.: _____

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

OHS Health Assessment Report reference number: _____

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

Date From: _____

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

I hereby instruct the Department to record this period of leave on the OLCS.

Signature: _____ Date: _____
(Employer)

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

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

Data Protection Privacy Statement

The main purpose for which the Department requires the personal data provided by the employer is to record the leave category 'COVID-19: Diagnosis Extension' on the OLCS. The Privacy Notice outlining further information in relation to this application form can be found at: <https://www.education.ie/en/The-Department/Data-Protection/gdpr/gdpr.html>. Full details of the Department's Data Protection policy setting out how we will use personal data as well as information regarding the rights of the data subject are available at <https://www.education.ie/en/The-Department/Data-Protection/>. Details of this policy are also available in hard copy from Teacher/SNA Terms & Conditions, Department of Education, Cornamaddy, Athlone, Co. Westmeath, N37 X659, upon request.

Appendix D – 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 Declaration 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: _____

School Name: _____ Roll No: _____

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 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 0042/2021 titled 'Coronavirus (COVID-19): Arrangements for Teachers and Special Needs Assistants employed in Recognised Primary and Post Primary Schools'.

I confirm that the information provided in the Declaration Form 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>Recorded on OLCS/relevant ETB system under 'COVID-19: Restricted Movement' <input type="checkbox"/></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 school/ETB with any other relevant documentation for record and audit purposes with the relevant personnel records.</i></p> |
|--|

Data Protection Privacy Statement

The main purpose for which the Department requires you to provide this personal data to your employer is to enable your Declaration Form to be processed. Your employer will retain your Declaration Form and accompanying documents in accordance with their Data Protection policy. Further information in relation to this policy is available on request from your employer.

The Privacy Notice outlining further information in relation to this Declaration Form can be found at: <https://www.education.ie/en/The-Department/Data-Protection/gdpr/gdpr.html> Full details of the Department's Data Protection policy setting out how we will use your personal data as well as information regarding your rights as a data subject are available at <https://www.education.ie/en/The-Department/Data-Protection/>. Details of this policy are also available in hard copy from Teacher/SNA Terms & Conditions Section, Department of Education, Cornamaddy, Athlone, Co. Westmeath, N37 X659, upon request.

Appendix E – 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. The completed Declaration 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: _____

School Name: _____ Roll No: _____

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.

I am available for work in accordance with the terms and conditions of Circular 0042/2021 titled '*Coronavirus (COVID-19): Arrangements for Teachers and Special Needs Assistants employed in Recognised Primary and Post Primary Schools*'.

Signature of Employee: _____ Date: _____

Part 3 – Employer Record

OHS 'COVID-19 Health Risk Categorisation Report' provided

OHS 'COVID-19 Health Risk Categorisation Report' reference number: _____

Alternative working arrangements approved (tick relevant box) Yes No

Recorded on OLCS/relevant ETB system under 'COVID-19: Very High Risk Group'

Signature: _____ Date: _____
(Employer)

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

Data Protection Privacy Statement

The main purpose for which the Department requires you to provide this personal data to your employer is to enable your Declaration Form to be processed. Your employer will retain your Declaration Form and accompanying documents in accordance with their Data Protection policy. Further information in relation to this policy is available on request from your employer.

The Privacy Notice outlining further information in relation to this Declaration Form can be found at: <https://www.education.ie/en/The-Department/Data-Protection/gdpr/gdpr.html> Full details of the Department's Data Protection policy setting out how we will use your personal data as well as information regarding your rights as a data subject are available at <https://www.education.ie/en/The-Department/Data-Protection/>. Details of this policy are also available in hard copy from Teacher/SNA Terms & Conditions Section, Department of Education, Cornamaddy, Athlone, Co. Westmeath, N37 X659, upon request.

Appendix F – Declaration Form For Pregnant Employees Working in a Special Education Setting

The Declaration Form must be completed by the pregnant employee currently working in a special education setting who cannot be re-assigned within a special school. The Declaration Form should be fully completed and submitted to the employer as soon as possible.

Part 1 - Employee Details

Employee's Name: _____ Contact No: _____

Home Address: _____

E-mail Address: _____

PPSN: _____

School Name: _____ Roll No: _____

Part 2 – Declaration

I declare I meet the criteria listed below: (please tick to confirm).

I am at or over 14 weeks gestation

I have submitted a COVID-19 Risk Assessment Questionnaire to the OHS and have been categorised as High Risk by the OHS

OHS 'COVID-19 Health Risk Categorisation Report' reference number: _____

I work in a special school

There are three or more employees in a single room, throughout the working day

Social distancing between the employees in the special education setting is not consistently possible

Maternity Leave Commencement Date (DD/MM/YYYY): _____

Declaration

I am available for work in accordance with the terms and conditions of Circular 0042/2021 titled 'Coronavirus (COVID-19): Arrangements for Teachers and Special Needs Assistants employed in Recognised Primary and Post Primary Schools'.

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

Signature of Employee: _____ Date: _____

Part 3 – Employer Record

- | | |
|---|--|
| Criteria listed at Part 2 above has been met | <input type="checkbox"/> |
| COVID-19 Health Risk Categorisation Report provided | <input type="checkbox"/> |
| Workplace pregnancy risk assessment has been carried out | <input type="checkbox"/> |
| I can demonstrate that re-assignment within a special education setting is not possible | <input type="checkbox"/> |
| Alternative working arrangements approved (tick relevant box) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Recorded on OLCS/relevant ETB system under 'COVID-19: Very High Risk Group' | <input type="checkbox"/> |

Signature: _____ Date: _____

(Employer)

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

Data Protection Privacy Statement

The main purpose for which the Department requires you to provide this personal data to your employer is to enable your Declaration Form to be processed. Your employer will retain your Declaration Form and accompanying documents in accordance with their Data Protection policy. Further information in relation to this policy is available on request from your employer.

The Privacy Notice outlining further information in relation to this Application Form can be found at: <https://www.education.ie/en/The-Department/Data-Protection/gdpr/gdpr.html> Full details of the Department's Data Protection policy setting out how we will use your personal data as well as information regarding your rights as a data subject are available at <https://www.education.ie/en/The-Department/Data-Protection/>. Details of this policy are also available in hard copy from Teacher/SNA Terms & Conditions Section, Department of Education, Cornamaddy, Athlone, Co. Westmeath, N37 X659, upon request.

Appendix G – Summary for Pregnant Employees

- Submit a [COVID-19 Risk Assessment Questionnaire](#) to Medmark during your first trimester.
- All pregnant employees up to 14 weeks gestation should attend the workplace unless they are categorised by Medmark 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 Medmark 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 Medmark.
- 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), Medmark 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 Medmark as either 'High Risk' or 'Very High Risk'. Where you are categorised by Medmark as:
 - 'Very High Risk', you do not attend the workplace but remain available to work from home.
 - 'High Risk' you must attend the workplace.

Special Education Setting?

Are you:

- from 14 weeks gestation?
- categorised as 'High Risk' by Medmark?
- currently working in a Special Education setting?
- with 3 or more employees in a single room, throughout the working day?
- where social distancing between the employees is not consistently possible?

If all of the above criteria apply, you will not have to attend this special education setting (classroom), during your pregnancy.

- In a **special education class in a mainstream school**, your employer will re-assign you to an alternative role within the school. An existing employee within the school will then be re-assigned to the special education class.
- In a **special education setting in a special education school**, the employer will re-assign you to an appropriate role outside of this special education setting (classroom). An existing employee within the school will then be re-assigned to the special education class. Where this re-assignment is not possible, the employer must facilitate alternative working arrangements for you during this period i.e. work from home.
- Where the 'High Risk' pregnant employee, as determined by the OHS, in the special education school is facilitated to work remotely, the employer may appoint a substitute, paid by the Department/ETB.