

## Frequently Asked Questions - COVID-19 Emergency Substitution Arrangements for Post Primary Schools



## COVID-19 Emergency Substitution Arrangements for Post Primary Schools

**I currently do rostered supervision and substitution under the Supervision and Substitution (S&S) scheme. Are these emergency substitution arrangements part of or an extension of the S&S scheme?**

No.

These emergency arrangements are entirely separate from the S&S scheme and attract an additional non-pensionable payment. Your existing commitments under the S&S scheme remain in place, unaltered.

**I am on part-time hours and regularly do paid substitution for absent colleagues under the existing Paid Substitution scheme. Will these emergency substitution arrangements overlap the existing Paid substitution scheme, and will I lose out as a result?**

No, you will not lose out. The existing paid substitution scheme remains in place and substitution hours that arise must, in the first instance, be offered under that scheme to teachers on part-time hours.

It is only when you have undertaken 22 hours (between contracted hours and substitution hours) in a week that the emergency substitution arrangements kick in.

**Am I required to undertake additional substitution work under the emergency arrangements?**

No. Participation is entirely voluntary.

**Can management force me to undertake this additional work?**

No. Participation is entirely voluntary. You cannot be coerced into taking on additional substitution hours under this arrangement. You decide whether or not to participate.

**I am currently paid for/contracted for 22 hours per week (inclusive of 40 minutes “professional time”). Under the COVID-19 Emergency Substitution Arrangements, can I work additional hours?**

Yes, if you choose to. The maximum number of hours you can work under these additional emergency substitution arrangements, between now and the end of February, is 35 hours.

**Is there a cap on the number of hours per week that I can work under the emergency substitution arrangements?**

No. There is no weekly cap/commitment. However, there is an overall cap - the total hours worked between now and the end of February cannot exceed 35 hours.

**If I volunteer to undertake this additional work, do I have to commit to the full 35 hours?**

No. The quantum of hours you work is voluntary and therefore is entirely your decision.

**If I volunteer to undertake this additional work, can I later decide to withdraw from it?**

Yes, but as a matter of professional courtesy you should let management know in advance that you intend to withdraw.

## **Payment for COVID-19 Emergency Substitution Arrangements**

**How will I be paid for these additional hours?**

The hours must be recorded at school level and claimed as a lump sum after the end of February. TUI **strongly recommends** that all teachers who volunteer to

participate in these arrangements also keep their own record.

### **Can the hours (claimed as a lump sum) be paid through the OLCS/ETB Payroll?**

Pending the development of an IT solution, schools must assume that the hours will be claimed differently – possibly using claim forms and probably not through the OLCS/ETB payroll. An accurate record must be kept at school level.

### **Will the payment be pensionable?**

No. The payment will not be pensionable. Therefore the 6.5% pension deduction and Additional Superannuation Contribution (ASC) of up to 10.5% will not be deducted from this lump sum payment.

### **What rate of pay will I receive?**

Payment will be based on each teacher's personal rate of pay (including allowances, where applicable).

## **Existing Teachers on fewer than full hours**

### **I am currently contracted to teach fewer than 22 hours, e.g., 15 hours, can I undertake these temporary measures?**

In the first instance, you are entitled to engage in substitution work for up to the difference between your 15 contract hours and the maximum of 22 hours and to have these hours paid in the normal way i.e., through OLCS or ETB Payroll as a substitute teacher.

Once you have reached the 22-hour maximum, you can provide additional substitute cover (if you volunteer to do so) under these temporary emergency substitution arrangements, between now and the end of February.

Those hours (worked beyond the 22-hour weekly maximum) will be paid separately, as set out above, subject to a maximum of 35 hours in the period from now to the end of February 2022.

### **If I volunteer to undertake the hours under the COVID-19 Emergency Substitution Arrangements, can I count these additional hours for incremental credit purposes?**

No.

**Can I use the hours towards my CID or augmentation of an existing CID?**

No. These hours are a temporary emergency measure.

## **Sequence for assigning hours under the COVID-19 Emergency Substitution Arrangements?**

**Can a school allocate hours under these arrangements before using the existing paid substitution scheme?**

No. Firstly, using the existing paid substitution scheme, schools should continue to source paid substitutes who are qualified in the subject area.

If no qualified substitute is readily available, school management can assign hours as follows:

1. Teachers within the school on fewer than full hours. (Once these teachers reach the 22-hour weekly threshold, they can work additional hours under these temporary emergency substitution arrangements)
2. Teachers in the S&S scheme already
3. Teachers who had previously opted out of the S&S Scheme

Some flexibility will be allowed i.e., the priority of school management must be to seek a suitable qualified teacher to provide cover for the class/es in question. Qualifications to teach the class/es will take precedence over other considerations.

## **Supervision and Substitution (S&S)**

**Do the COVID-19 Emergency Substitution Arrangements affect my obligation to undertake S&S?**

No.

Your S&S obligation, as applicable, remains. It is important to note that your commitment to Supervision is to the end of the school year. The remainder of the time is what is available for Substitution. You will need to ascertain the time you have committed to undertake Supervision and add that to the Substitution already provided under S&S scheme to determine your remaining commitment to S&S.

### **How many hours S&S am I required to do?**

With the exception of those teachers who chose to opt-out, each full-time teacher is required to be available to undertake Supervision and Substitution duties to a maximum of 43 hours per school year.

The maximum weekly commitment that can be used for combined S&S is 3 hours per week. Within the weekly maximum of 3 hours for S&S, the maximum time devoted to Supervision in a given week is 50 minutes. The maximum Supervision and Substitution that can be undertaken per school/academic year is 43 hours.

For example, I have agreed to undertake 30 minutes lunch time supervision and one 15-minute break time supervision each week for the school year. This equates to 45 minutes per week. 45 minutes per week for the full school year = 25 hours (45 X 33.4 weeks). The maximum Substitution therefore for the school year is  $43 - 25 = 18$  hours. That is 18 one-hour classes or 27 x 40-minute classes throughout the year.

### **How many hours of S&S is a teacher on fewer than full hours required to do?**

A teacher on fewer than full hours is required to complete S&S on a pro rata basis. For example, divide 43 by 22 and multiply the answer by your contractual weekly hours. This gives you your combined availability for both Supervision and Substitution for the year.

### **How many class periods must a teacher be available for substitution under the S&S Scheme?**

A full-time teacher must be available for five 40-minute class periods per week. A teacher on fewer than full hours is required to complete S&S on a pro rata basis.

Teachers working up to and including 12 hours of class contact per week must be available for 3 class periods. Teachers working more than 12 and up to and including 17 hours of class contact per week should be available for 4 class periods.

A teacher selects these class periods at the commencement of the school year.

Class periods cannot be changed to compensate for a shortfall in S&S cover.

## S&S vis-à-vis Paid Substitution

### When should S&S be used?

S&S is used to cover:

- Absences for all school-approved activities
- Self-certified sick leave
- The **first** day of each absence of force majeure leave and illness in family leave.

### When is Paid Substitution used?

The Department of Education provides paid substitution for a number of activities including:

- COVID-19 Related Absences
- Certified sick leave
- Parental leave
- Compassionate & Bereavement Leave
- Maternity Leave
- Paternity Leave
- Jury Service Leave
- Membership of NCCA (Council, Boards and Course Development Groups)
- SEC Activities

### Can school management use the COVID-19 Emergency Substitution Arrangements to cover for leave that should normally be covered by Paid Substitution?

No.

In the first instance, paid substitution should be used. However, these COVID-19 Emergency Substitution Arrangements can be used to provide cover that would normally be covered by the S&S scheme and/or Paid Substitution where a suitable qualified teacher is not available.

### Can school management use S&S to cover classes that should be covered by a paid substitute?

No. Management cannot use S&S to cover classes that should be covered by paid substitution. Should a substitute not be available, school management can use

teachers who have volunteered for the COVID-19 Emergency Substitution Arrangements.

**What happens in a school when teachers have met their 43-hour requirement under S&S and there is no more S&S available to a school?**

A teacher who has reached the 43-hour commitment, which includes the full timetabled supervision requirement for the school year, is not and cannot be required to engage in further substitution cover unless she/he volunteers to participate in the COVID-19 Emergency Substitution Arrangements.

It must be noted, however, that the supervision requirement should be timetabled for the school year. Consequently, you need to ascertain how many hours of substitution cover you are liable to take. When you have met this requirement, you have no further commitment to substitution under the S&S scheme.

**Can a teacher in the S&S Scheme also undertake the maximum 35 hours provided under COVID-19 Emergency Substitution Arrangements?**

Yes. Both transact separately.

