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Feidhmeannacht na Seirbhísí Sláinte
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To: Chief Executive Officer
Each National Director
Each Assistant National Director HR
Each Assistant Chief Finance Officer
Each Hospital Group CEO
Each Hospital Group Director of HR
Each Chief Officer CHOs
Each Head of HR CHOs
Head of HR, PCRS
Each CEO Section 38 Agencies
Each HR Manager Section 38 Agencies
Each Employee Relations Manager
Each Group Director of Nursing & Midwifery
Each Group Director of Midwifery
Each Clinical Director
Director National Ambulance Service

From: Anne Marie Hoey, National Director Human Resources

Date: 20th July 2021

Re: HR Circular 31/2021: Revised Arrangements re Compensation for Overtime and Twilight Payments in the Public Health Sector. Restoration of the Tool Allowance to pre-HRA level.

Dear Colleagues

Please find attached a copy of Department of Health Circular 12/2021 in relation to the restoration of arrangements for overtime and twilight payments and the tool allowance with effect from **1 July 2021** to that which pertained prior to the implementation of the Haddington Road Agreement (HRA).

Any costs arising from the unwinding of these HRA measures must be managed within allocated budgets.

1. Overtime

See **Appendix A** for details on the overtime arrangements that apply to certain public health service staff categories with effect from 1 July 2021. Please note that COVID-19 overtime arrangements that were introduced as a temporary measure are not affected by this Circular and will cease to apply upon notification of same.

As outlined in the Department of Health Circular, with effect from 1 July 2021, any overtime payments impacted by section 2.13 of the HRA will be fully restored to that which pertained prior to July 2013. There is no revision in respect of HRA section 2.14 and therefore the divisors for the calculation of overtime are unchanged by this Circular and remain as per the revised standard weekly working hours under the HRA.

2. Twilight Payments (Time and 1/6th)

Any HRA impacts in respect of twilight payments (time and 1/6th) will also be restored to that which pertained prior to July 2013. This means that staff categories which are currently eligible for payment of the time and 1/6th allowance from 8pm until the end of the day roster/shift are eligible for payment *between 6pm and 8pm or until the end of the day roster/shift* with effect from 1 July 2021.

Nurses who are already eligible for payment of time and 1/6th from 6pm under the terms of the HSE circulars that issued on the verification of the transfer of tasks process for nursing staff in different sectors are not affected by this provision.

3. Tool Allowance for Craftworkers

The tool allowance for craft workers, reduced under Appendix 8 of the HRA, will be restored in full with effect from 1 July 2021; a separate instruction will issue in relation to the tool allowance for 2021.

Please ensure that this Circular is brought to the attention of all relevant managers and staff in your area of responsibility including payroll.

Queries

Queries from individual employees or managers regarding these arrangements should be referred to local HR Departments/Employee Relations Departments.

Queries from HR Departments on the contents of this Circular may be referred to National Employee Relations, HR Directorate, 63-64 Adelaide Road, Dublin 2 Tel: 01 6626966, Email: info.t@hse.ie

Please note that the National HR Help Desk is also available to take queries on 1850 444 925 or email: ask.hr@hse.ie

Anne Marie Hoey
National Director of Human Resources
Yours sincerely,



Anne Marie Hoey
National Director of Human Resources

Appendix A Overtime Arrangements with effect from 1 July 2021

Overtime rates and rules are nationally approved and vary depending on the category or grade of employee. This document sets out the overtime rates that applied to certain categories of public health service staff prior to HRA and which have been restored with effect from 1 July 2021. *It is important to note that the divisor for overtime calculations will continue to be based on the current standard weekly working hours for the category/grade.*

General Principles governing overtime arrangements

- Employees may be paid overtime rates for hours worked in excess of the standard weekly whole time hours for the category / grade.
- With the exception of ambulance personnel overtime is paid on basic pay only.
- Participants in the Flexible Working Scheme / part-time employees are entitled to earn overtime payments when they have worked the standard weekly working hours of the whole time equivalent in the given week.
- In certain circumstances where an employee works beyond the span of his / her shift in emergency and unforeseen circumstances they may earn overtime payments, even if they have not worked the hours of the whole time equivalents in their grade, i.e. they cannot be rostered for this overtime.
- Part-time employees who work additional hours, i.e. hours over and above their contracted hours on a pre-arranged basis will be paid at the normal rates.
- Please note that overtime arrangements that were implemented for certain categories of public health service staff as a temporary measure during COVID-19 remain unchanged as a result of this Circular and will cease to apply upon notification of same.

Nursing

The following are the normal overtime rates applying to nursing:

Monday to Friday

Time + ½ for additional hours worked between finish of normal day duty and midnight.

Double time for additional hours worked between midnight and the start of normal day duty.

Saturday

Time + ½ for the first four additional hours worked and double time for the remainder.

Sunday & Public Holidays

Double time for all additional hours worked.

The divisor for the purposes of calculating overtime is 39 hours.

Support Staff

The following are the overtime rates applying to support staff:

Monday to Friday

Time + ½ for additional hours worked between finish of normal day duty and midnight.

Double time for additional hours worked between midnight and the start of normal day duty.

Saturday

Time + ½ from normal starting time to 12 midday and double time for the remainder.

Sunday & Public Holidays

Double time for all additional hours worked.

The divisor for the purposes of calculating overtime is 39 hours.

Ambulance Personnel

The general overtime payment arrangements as set out in national agreements apply to ambulance personnel. The following provisions apply to Paramedics and Emergency Control dispatchers (formerly called Emergency Medical Technicians and Emergency Medical Controllers):

- Those required to work on a rostered day off will receive double time for all hours worked.
- Staff employed prior to February 2012 who are in receipt of a Cardiac Allowance shall have the Cardiac Allowance included in the calculation of the hourly overtime rate. The inclusion of this allowance does not apply to new entrants/recipients from February 2012.
- Where appropriate the hourly rate may include the ambulance specific shift allowance.

Non-Consultant Hospital Doctors

The following overtime rates apply to NCHDs:

On-Site	Hours Worked	Rate
Mon – Sat	All Hours	Time & Half
Sunday	All Hours	Double Time
Public Holidays	All Hours	Double Time

On-call on-site is deemed to be overtime and should be paid at the appropriate rate. Sunday work is any hours worked between midnight on Saturday and midnight on Sunday. Therefore NCHDs will receive double time for all hours worked between midnight on Saturday and midnight on Sunday.

Clerical/Administrative/Management Grades

The following overtime payment arrangements apply to clerical / administrative and analogous grades up to and including Grade VII¹.

No overtime rates apply to grades above Grade VII.

(a) Grades whose maximum salary does not exceed that of Grade V (including Environmental Health Officers)

Monday to Friday Attendance

First 3 hours in week	Time plus $\frac{1}{4}$
Next 5 hours	Time plus $\frac{1}{2}$
Thereafter	Double time

Saturday attendance:

- Rate payable when aggregate of hours worked in excess of the normal working week and hours worked on Saturday of the same week is less than 10 hours: Time plus $\frac{1}{2}$
- Rate payable when aggregate of hours worked in excess of the normal working week and hours worked on Saturday of the same week is more than 10 hours: Double time
- Sunday and public holiday attendance: Double time

Note: The hourly rate for Grade V and analogous grades is calculated by reference to the employee's actual salary on the basis of a 37 hour week.

¹ Clerical/administrative staff with red-circled working hours as per Appendix 9 of the Haddington Road Agreement are eligible for overtime payments once 37 hours have been worked and exceeded.

(b) Grades whose maximum salary does not exceed that of Grade VII

Monday to Friday Attendance

First hour of week in excess of gross working hours	Free
Next 2 hours	Time plus $\frac{1}{4}$
Next 5 hours	Time plus $\frac{1}{2}$
Thereafter	Double time

Saturday attendance

- Rate payable when aggregate of hours worked in any continuous period of two weeks and hours worked on Saturday is less than 20 hours Time plus $\frac{1}{2}$.
- Rate payable when aggregate of hours worked in any continuous period of two weeks and hours worked on Saturday is more than 20 hours Double time
- Sunday and public holiday attendance Double time

Calculating hourly overtime rates:

- i. The hourly rate for grades III, IV and analogous grades should be calculated by reference to the employee's actual salary on the basis of a 37 hour week.
- ii. The hourly rate for grade V and analogous grades should be calculated by reference to the employee's actual salary on the basis of a 37 hour week.
- iii. In the case of employees whose salary equals or exceeds the second long service increment of the grade V scale, the hourly rate should be calculated by reference to the second long service increment of the grade V scale on the basis of a 37 hour week. The hourly rate for grades VI, VII and analogous grades should be calculated by reference to whichever is the lesser of individual's salary or the second long service increment of the grade V salary scale and is based on a 37 hour week.

Craftworkers and Craftsmen's Mates

The following overtime payments apply to craftworkers and craftsmen's mates as per the 1997 Productivity Agreement:

Monday to Friday

Time and $\frac{1}{2}$ for additional hours worked between finish of normal day duty and midnight.
Double time for additional hours worked between midnight and the start of normal day duty.

Saturday

Time + $\frac{1}{2}$ for normal starting time to 12 o'clock midday and double time for the remainder.

Sunday and Public Holidays

Double time from 12 o'clock noon Saturday to 12 o'clock midnight on Sunday and on public holidays (midnight to midnight).

Environmental Health Officers (EHOs)

EHOs may express an option for overtime payments or time in lieu of relevant tobacco control work outside 9am to 5pm, Monday to Friday. The overtime scheme and rates will correspond to those of the clerical/administrative Grade V as set out below as per Department of Health and Children Circular No. 20/2004:

First 3 hrs in the week	Time plus $\frac{1}{4}$
Next 5 hrs	Time plus $\frac{1}{2}$
Thereafter	Double Time
Saturday (less than 10 hours)	Time plus $\frac{1}{2}$
Saturday (more than 10 hours)	Double Time
Sunday/Public Holiday	Double Time