

## 5.3 Time Off Work

### Annual Leave

Taking your annual leave is essential as it gives you the chance to relax, recharge your batteries and come back to work refreshed. It is also a legal requirement for Mitie to ensure that you avail of your full annual leave entitlement.

The annual leave year at Mitie runs from 01 April - 31 March each year.

Annual leave entitlements are given in accordance with the provisions of the Organisation of Working Time Act, 1997. This law allows every full-time worker to have a minimum statutory annual leave entitlement of 4 weeks' holiday plus 9 public holidays in a 12-month period, provided they work at least 1365 hours in that annual holiday year. Annual leave entitlement for part time staff is pro-rated accordingly.

The term “*working week*” means the number of days or hours an employee normally works in a given week.

### **There are 3 different ways of calculating your annual leave entitlement**

- An employee who has worked at least 1,365 hours in the annual leave year (that is, an average working week of 26.25 hours) is entitled to the maximum of 4 weeks' annual leave.
- By allowing 1/3 of a working week for each calendar month in which the employee has worked at least 117 hours.
- 8% of the hours worked in the leave year, subject to a maximum of 4 weeks.

An employee may use whichever of these methods gives the greater entitlement.

### **Annual Leave Entitlement Guidelines**

By individuals taking annual leave throughout the year, we can ensure we have the right people in work at the right time to provide appropriate support to the team and our clients. Annual leave is usually allocated on a first come, first served basis, so make sure you get your holiday request in early so that you are not disappointed. Remember that there will be peak times when many people request annual leave, and in some cases, certain sites may determine when holidays must be taken e.g. when a client site is closed.

The annual leave year runs from 01 April - 31 March each year. It is your responsibility to ensure all your annual leave is taken within the current holiday year. You cannot carry forward any unused annual leave into the new holiday year. However, in exceptional circumstances you may be allowed to carry over a maximum of 3 days into the new holiday year, once there is clear line of sight of you taking these days within 3 months. The company reserves the right to schedule annual leave for you, in cases where you are accruing a high annual leave balance before the end of the annual leave year.

You cannot be paid in lieu of any untaken leave, except for when you leave the company.

You may only take annual leave with the prior approval of your manager. All annual leave requests must be submitted via the company's online annual leave tool, Mi Leave. Please follow the below instructions when booking your holidays through the online tool, Mi Leave.

**Link to MiLeave:** <https://mitie.annualleave.com/#/login>

**Email:** Enter the email address you provided to the company

**Password:** Upon set up you should receive an email from the system with a password. If not, please follow the below steps.

- Click on the 'forgot password' link
- Enter your email address and click reset password
- An email should be sent to your email address with a link
- Click the link, enter your new password and logon

Should you have any issues please contact [Irelandpeoplesupport@mitie.com](mailto:Irelandpeoplesupport@mitie.com)

Normally people can take up to two weeks of annual leave at one time. We also allow people who have worked with Mitie for longer than one year to request a longer period of absence from work in special circumstances, such as to attend events abroad or to fulfil personal commitments. Such requests may be made once in any 12-month period and will only be authorised subject to business requirements.

We do expect a reasonable amount of notice for your annual leave so we can arrange cover. As a simple guide, the notice you should give to your line manager when booking annual leave is as follows:

<b>Annual Leave</b>	<b>Notice</b>
1 day	1 week
2 – 4 days	2 weeks
5 + days	1 month

All annual leave is approved at management discretion. Every effort will be made to accommodate employees' requests, but, in certain instances, employees will be required to make alternative arrangements if their absence would cause operational difficulties.

If on termination of employment, your annual leave entitlement has been exceeded, the excess will be deducted from any monies payable by the company. If annual leave is owed to you, the company may at its discretion require annual leave to be taken in your notice period or pay you a sum in lieu of accrued holiday.

## Public Holidays

There are nine public holidays that fall in each calendar year, as follows:

- New Year's Day (1 January)
- St Patrick's Day (17 March)
- Easter Monday
- First Monday in May
- First Monday in June
- First Monday in August
- Last Monday in October
- Christmas Day (25 December)
- St Stephen's Day (26 December)

If you qualify for public holiday benefit you are entitled to one of the following:

- A paid day off on the public holiday
- An additional day of annual leave
- An additional day's pay
- A paid day off within a month of the public holiday

Full-time employees qualify for public holiday benefits. Part time employees, however, must have worked for at least 40 hours in total in the 5 weeks before the public holiday to receive a day's pay for that public holiday.

If you are a part-time employee and do not normally work on the day that a public holiday falls, you should receive one-fifth of your weekly pay. Even if you are never rostered to work on a public holiday, you are entitled to one-fifth of your weekly pay as compensation for the public holiday.

Please refer to your contract of employment for guidelines on annual leave and public holiday entitlements. Further information is available from your HR team on [IrelandpeopleSupport@mitie.com](mailto:IrelandpeopleSupport@mitie.com)

## Sick Leave

All employees are required to submit a medical certificate to their manager when absent for more than two consecutive working days i.e., you must submit your medical cert on your third day of absence. Failure to do so will be considered unauthorised leave.

The company may also require you to provide a medical certificate if you are absent for two days or less at our discretion.

Follow-on medical certificates must be submitted where the absence continues beyond the initial period covered. Medical certificate must not exceed 1 month.

All medical certificates must be in Mitie's default business language (English).

Failure to follow this process and/or non-submission of medical certs will be deemed as unauthorised absence and may result in disciplinary action. Depending on your terms and conditions of employment, you may be entitled to company sick pay. However, failure to follow all absence procedures may result in non-payment.

## Short Term Frequent Absence

This is defined as regular, short periods of absence. The company may consider sickness to be conduct related where we identify persistent patterns of absence such as every pay day or either side of your day off. Disciplinary action may be taken where continual frequent absence occurs.

## Long Term Sickness

Long term sickness is where you have been absent from work through illness or injury for more than four consecutive weeks with no return date imminent. For absences longer than four weeks, you will be required to submit updated medical certificates on a monthly basis. While on long term sick leave, medical certificates must be submitted to your HR representative which will be stored in a secure manner with the utmost regard for the confidentiality of the document.

For any employee out on long-term sickness, Mitie may invite you to attend an informal welfare meeting, the purpose of which is to establish the nature and extent of your illness, how long it is likely to be before you are well enough to return to work, and what arrangements Mitie might need to make to ensure your safety upon your return.

Depending on the nature of your illness, we may refer you to a company nominated doctor to establish the likely duration of your absence and to determine any support the company can give to you to aid your return to work.

Should the company arrange an occupational health appointment and you fail to attend the appointment, you may be subject to disciplinary action. The company may also take a decision regarding your continuing employment without the benefit of medical opinion.

## Payment During Sick Leave

Your contract of employment will specify your entitlement to payment during sickness.

In circumstances where you are not entitled to company sick pay, or where you have already exhausted your entitlement to it, you may be entitled to illness benefit from the Department of Social Protection.

Illness benefit and company sick pay are only paid for qualifying days, which are set out in your terms and conditions, and are usually your normal working days. You must apply for illness benefit within seven days of becoming ill. No payment is made for the first six days of illness which are known as waiting days. Thereafter, any qualifying days will be paid at the rate of illness benefit set by the Department of Social Protection. Company sick pay will be reduced by the amount of any Social Welfare Benefits which you may be entitled to.

You can obtain more information on illness benefit, including the eligibility criteria and how it is paid, from the Department of Social Protection at [www.welfare.ie](http://www.welfare.ie)

## Sickness Before & After Annual Leave

Any absence which leads immediately into or immediately after a pre-booked holiday period may need to be certified by a medical practitioner and may be subject to future investigation.

## Sickness During Annual Leave

Should you fall sick during your annual leave, you will be required to provide a medical certificate outlining the reasons for your illness. If you are medically certified during an approved holiday period, this time will be classed as sick leave and you will retain your annual leave allowance for that period of certified illness.

## Return to Work

You must give 1 day's notice of your intention to return to work following a period of absence to enable the company to plan for your return. If you are returning to work following a period of long-term sick leave, we ask that you give 1 week's notice of your intention to return to work. If you are unable to give the required notice, please inform your manager as early as possible before your normal start time. On your return to work, your manager may conduct a return-to-work interview. This interview allows the manager to discuss your health and welfare; provide you with support; review your attendance and lateness record and highlight any concerns about attendance levels.

Depending on the nature of your absence, your manager may refer you to avail of Mitie's Employee Assistance Programme (EAP). The EAP provides immediate support for employees who may be experiencing difficulties either at work or at home that are having an impact on their well-being. The scheme is accessed via a confidential telephone helpline staffed by fully trained counsellors 24 hour a day, 365 days a year and as many times as necessary.

Callers to the confidential helpline are given unlimited support, advice and information to deal with their difficulties. This service can be used for a wide range of problems including:

- Emotional/Personal (Stress, depression, abuse)
- Financial
- Domestic (Marital, relationships)
- Work/Career (Work relationships, work stress, career issues, role difficulties)
- Other (Diet, smoking, health, self-esteem, trauma, bereavement, phobias)

Call free on:

T: 1850 718 888 (Republic of Ireland)

T: +44 (0)845 330 5132 (from abroad)

Or visit the website:

[www.wellness.rightmanagement.co.uk/login](http://www.wellness.rightmanagement.co.uk/login)

login details: mitiewell)

## Unplanned Leave

We understand that sometimes you might need to take unplanned leave from work due to sickness, family emergencies or unforeseen problems at home. It is our firm commitment to support our people, helping them get back to work, even when things are tough for them. We have an absence management procedure which helps us to ensure that our people are treated fairly and that their unplanned leave from work is managed in a positive and transparent way.

## **Notification of Unplanned Leave**

If you are going to be absent from work, please let us know as soon as possible and give us the reason for your absence and your likely date of return to work. This helps us to better manage the situation, offer the appropriate support and monitor ongoing issues effectively.

At the very minimum, we ask that, wherever possible, you phone your manager at least one hour before you are due at work if you know you will be absent. For some roles you may need to inform your manager before an allotted time, particularly if you work a shift pattern, so that appropriate cover can be arranged. Check with your manager if you are unsure when or how to contact them to inform them of your absence.

We will want to know how you are and have a proper understanding of your absence, so we can manage it properly. It is not acceptable to text, email or ask someone else to call in on your behalf except in exceptional circumstances. Where you have had to leave a message for your manager, you must call to speak to them later in the day to discuss your absence.

You also need to keep in telephone contact with us during your absence so that we can be kept up to date, which helps us to manage your absence better. We would expect you to contact your manager (or another identified person) at least twice during an absence of up to seven days, and on a weekly basis for absences over seven days.

On returning to work, your manager will meet or speak to you, so we can look out for any patterns which may then be more closely investigated and identify any follow up actions as appropriate.

If you do not report your absence appropriately, or you fail to keep us informed about your absence through regular phone contact, or your absence from work is not supported by an acceptable explanation; your absence may be classed as unauthorised. You will not be paid for the period of unauthorised absence, and you may be subject to disciplinary action.

We do need to inform you that unauthorised absence of two weeks or more is considered job abandonment and may lead to termination of employment. (Please refer to the job abandonment clause under the formal disciplinary policy)

In instances where you are required to leave work early due to unforeseeable reason, you must only do so upon the approval of your manager.

## **Unacceptable Level of Absences**

Absence levels will be monitored on an ongoing basis as they could present operational difficulties for the company, and in turn your colleagues. Where Mitie deems the absence levels be excessive, or a pattern of absence emerges, it may be necessary to deal with the absences under the company's disciplinary procedures.

## Other Leave

There may be times when you need other types of leave, some of which are explained briefly here.

## Jury Leave

Should you be called upon to undertake jury duty, you must inform your manager immediately and provide copies of all court correspondence.

Employees who are summoned to appear in courts as a juror or a witness are reimbursed for lost earnings in an amount equal to their regular pay less any compensation received for that particular day. For each day you attend for jury duty, you must provide the company with a certificate of attendance from the County Registrar evidencing the dates and times of your jury service.

Should the court not require your services for odd days during the period of your jury duty, you will be required to return to work for that period of time, and resume normal duties, until needed in court. Where you are only required to attend court for part of a working day, you must return to work immediately after you have been released from court.

## Witness Duty / Court Attendance

Where you are required to attend as a witness, no payment shall be made by the company. To attend court for personal reasons, you will be required to apply for annual leave.

## Medical and Dental Appointments

Medical and dental appointments should be made in your own time and outside normal working hours. Where this is not possible, prior approval from your manager is required. In such instances, you must arrange the time of your appointment for close to the start or end of your working day in order to minimise disruption to the business. You will be required to provide your manager with a copy of your appointment card. Appointments made during working hours will normally be unpaid.

## Antenatal Classes

Expectant mothers are entitled to take paid time off work to attend one set of antenatal classes (except for the last 3 classes in a set). For example, if this is your first pregnancy in employment and you are attending a set of 8 classes, you are only entitled to be paid while attending 5 of those classes. The last 3 classes would normally occur after your maternity leave has started.

You do not have the right to paid time off work to attend antenatal classes each time you are pregnant and in employment. The entitlement covers one set of classes (for one pregnancy) only.

Expectant fathers are entitled on a once-off basis, to paid time off work to attend the last two antenatal classes before the birth.

In order to take this paid time off work, you must notify your manager in writing as soon as practicable and in any event not later than 2 weeks before the date of the first class, or the class concerned. You will also be required to outline the dates and times of the classes.