

**Circular Number 0061/2010**

**To the Management Authorities and Principal Teachers of Primary Schools.**

## **Arrangements for the Payment of Part Time and Whole Time Fixed Term teachers employed in primary schools for the 2010/2011 School year and subsequent years.**

### **1. Introduction**

The Minister for Education & Skills wishes to inform Boards of Management and school staff in Primary Schools of the arrangements for the payment of part-time and whole-time fixed term registered teachers for the 2010/11 school year and subsequent years

### **2 Part Time Fixed Term Registered Teachers**

2.1 For the purpose of these arrangements a Part-Time Fixed Term teacher is any teacher:

- (a) Who is registered with the Teaching Council and fully qualified for the post to which s/he is being appointed,
- (b) Whose normal hours of teaching are less than the normal hours of teaching of a permanent whole-time teacher for an equivalent period,
- (c) Is paid from exchequer funds, and
- (d) Is employed on a fixed term basis.

### **2.2 Regular Part Time Fixed Term Teachers**

A regular part-time fixed term teacher who is employed for the school year to provide teaching for a number of hours each week should be offered a fixed term contract. It should specify the number of hours the teacher is required to work each week. The contract will normally run from 1st September to the 31st August. However, a contract may commence in the period 1st September to the first working day of November. A regular part time fixed term teacher who commences employment after the 1<sup>st</sup> September shall be paid on the Department payroll from the date of commencement of employment until the 31st August. This is subject to the teacher continuing to be employed in the same school. The rate of pay for July and August will be the rate payable to the teacher on 30<sup>th</sup> June.

2.3 The updated version of the Primary Teachers appointment form for the school year in question should be completed for all new regular part-time appointments and forwarded to the Primary Teachers Payroll. This form is available on the Department website.

### **3 Part Time Fixed Term Teachers appointed after the first working day in November**

3.1 A Part-Time Fixed Term teacher who commences employment after the first working day in November shall be paid on an hourly basis. The hourly rate of pay is calculated by dividing the appropriate annual rate of salary by 915 for each hour worked.

**3.2** Claims for the payment of these Part-Time Fixed Term teachers should be submitted through the On Line Claim System by completing the Appointments Section of the OLCS.

**3.3** The number of part time hours sanctioned per week is based on a maximum of 37 weeks for the school year. Therefore any hours worked in excess of the 37 week threshold will not be paid for by the Department.

#### **4 Changes in part time hours allocated to the school during the school year.**

Any increase / decrease in part time hours during the school year should be submitted immediately to the Primary Allocations Section of the Department, i.e.:

- 1 Part time hours for Learning Support/Resource Teacher (LS/RT)
- 2 Part time hours for low incident Resource Teachers (RT), granted by the NCSE, or
- 3 Part time hours for English as an Additional Language (EAL) teacher  
(Changes to LS/RT or RT Posts should be notified on the updated LSRT2 Form.).

#### **5 Changes in hours allocated to a Regular Part –Time Fixed Term Teacher.**

**5.1** The contract offered to the teacher on appointment should make provision for a possible change in the number of hours allocated during the year. Any increase in the number of teaching hours allocated to a regular part time fixed term teacher during the period 01<sup>st</sup> September to the first working day of November must be notified to the Department's Primary Teachers Payroll Section immediately and in writing. This is to ensure that the teacher is paid the correct salary.

**5.2** Any increase in the number of teaching hours allocated to a regular part time fixed term teacher after the first working day of November must be claimed through the On Line Claim System. This is to ensure that the teacher is paid the correct salary. Additional hours worked by a part time fixed term teacher during the school year will be paid at a rate calculated by the appropriate annual rate of salary divided by 915 for each hour worked.

**5.3** Any decrease at any time during the school year in the number of teaching hours allocated to a regular part- time fixed term teacher must be notified to the Department's Primary Teachers Payroll Section immediately and in writing. This is in order to avoid any overpayment of salary to the teacher.

**5.4** If the number of teaching hours allocated to a part- time fixed term teacher decreases during the school year the adjusted number of hours must be recorded on the OLCS system immediately. This is in order to avoid any overpayment of salary to the teacher.

#### **6. Whole Time Fixed Term Teacher**

**6.1** A Whole-Time Fixed Term teacher is any teacher:

- (a) who is registered with the Teaching Council and fully qualified for the post to which s/he is being appointed.
- (b) Whose normal hours of teaching are the normal hours of teaching of a permanent whole-time teacher
- (c) Is paid from exchequer funds, and
- (d) Is employed on a fixed term basis

**6.2** A whole time fixed term teacher is normally employed from 1st September to the 31st August on a fixed term contract. Whole time fixed term teachers who commence employment during

the period 1st September to the first working day of November and remain in employment on a fixed term contract for the full school year shall be paid until the 31st August.

6.3 A whole-time fixed term teacher who commences employment after the first working day in November and who continues in a fixed term capacity until 30 June will not get paid for the summer vacation unless s/he secures a further fixed term or permanent teaching post from the first working day of the following school year. The retrospective holiday pay entitlement will then be calculated as follows:

- A teacher who takes up a whole time fixed term post after the first working day in November but prior to 1<sup>st</sup> April, continues in employment as a whole time fixed term teacher until 30 June, shall receive retrospective holiday pay for the summer period if s/he secures a contract for the entire new school year or a contract that will not expire any earlier than one year after the start date of the original fixed term contract. Payment for the summer period is made retrospectively during the new school year.
- A teacher who takes up a whole time fixed term post after 1 April and continues in employment as a whole time fixed term teacher until 30 June shall receive retrospective holiday pay for the summer period one year from the start date of the initial contract provided the teacher has served in either a whole time fixed term post or permanent post for the entire 12 months period.

## **7. Recruitment of Registered and Qualified Teachers:**

7.1 Teachers proposed for appointment to teaching posts for which salary is being sought must be registered with the Teaching Council in accordance with section 31 of the Teaching Council Act 2001 and have qualifications appropriate to the sector and suitable to the post for which s/he is proposed. Where an employer can satisfactorily demonstrate that every reasonable effort has been made to recruit an appropriately qualified teacher, an unqualified and/or unregistered person may be recruited pending the recruitment of an appropriately qualified and registered teacher and this provision must be inserted in the employment contract. Boards of management should see Circular [0040/2010](#) for more information on this issue.

7.2 The terms of Circular [29/02](#) titled “Arrangements for the Payment of Holiday Pay to Short-term Temporary Unqualified Primary School Teachers” will apply to Regular Part Time (unqualified) and Whole Time Fixed Term (unqualified) persons employed to teach in Primary Schools. Unqualified persons shall not be paid for the months of July and August.

## **8 Application**

8.1 The terms of this circular are applicable from 01<sup>st</sup> September 2010. Additional information in relation to the employment of part time teachers was outlined in circular [36/2009](#).

8.2 The terms of this circular supersedes the terms of circular 76/2008 titled “Holiday Pay for Fixed Term (Temporary) teachers”.

## **9 Dissemination of circular and queries.**

School management authorities are requested to bring the contents of this Circular to the attention of teaching staff employed in the school. Queries regarding the operation of this scheme should be directed by email to [prmtch\\_payroll@education.gov.ie](mailto:prmtch_payroll@education.gov.ie)

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