



Time-Off Policy

Republic of Ireland

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AUTHORISED ABSENCE

Our aim is to support our colleagues by allowing paid or unpaid time off for domestic or social responsibilities. We are also mindful of the legislation which gives colleagues right to unpaid time off in certain circumstances.

1. We are committed to the following:

- Where possible, re-arrange working hours OR provide unpaid time off to allow colleagues to attend to personal matters that cannot be dealt with outside of their normal working hours.
- Provide paid time off where there is a serious accident involving a close member of the colleague's family. (Refer to the Force Majeure Leave section).
- Provide reasonable paid time off to colleagues to attend to a national or community emergency in their capacity as a qualified member of a national or community body. However, if they are paid by that body, we reserve the right to deduct a like amount from their Tesco salary.
- Where possible, re-organise the work rota of colleagues so that they can attend national or community events of bodies to which they belong.
- Provide unpaid time off for colleagues to attend training in their role as a member of a public body.
- Provide paid time off for Health and Safety representatives to carry out their recognised duties.
- Provide paid time off for colleagues called to Jury Service. (Refer to Jury Service section).

2. Appointments

Colleagues should, wherever possible, arrange the following appointments OUTSIDE their normal working hours:

- A routine doctor appointment.
- A routine dentist appointment.
- Appointment with any external company for domestic/personal reasons, for example: gas/electricity/solicitors/telephone.
- Other medical appointments, e.g. hospital/chiroprapist/physiotherapist.

Where appointments cannot be organised outside normal working hours, the manager should, where possible, re-

organise the colleague's hours to allow time off (via shift-swap, re-arranging the day-off, time-in-lieu etc.) without loss of pay. However, if hours cannot be reorganised, any time off will be unpaid.

The only exception is for a hospital appointment, when:

- The appointment is organised during normal working hours,
- It is impossible to re-organise the appointment,
- It is impossible to re-organise the colleague's hours.

In these circumstances only, paid leave should be given.

The colleague should:

- Complete a Leave Request Form giving at least 24 hours' notice
- Provide a certificate from a Doctor, Midwife or Health Visitor giving proof of the appointment,
- Only take such time as is necessary for the appointment, and should work back whatever hours they are able.

NB: Colleagues should complete a Return to Work Interview Form for any period of authorised absence.

3. What The Law Says

The amount of time off which a colleague should be permitted for public duties is determined by what is reasonable, according to the following;

- How much time off is required for the performance of a colleague's particular duties?
- How much time off has the colleague already been permitted for public duties etc.?
- What effect will the absence have on our business?

In the case of public duties, there is no legal requirement that a colleague is paid for any time taken off.

BEREAVEMENT LEAVE

We recognise the need to support any colleague if a close member of their family dies. In these situations we will provide up to 5 days bereavement leave. This is paid leave for personal grieving, and every effort should be made to be as compassionate as possible.

4. A close family member is:

The following list should help you determine who would normally be considered a close family member:

- Spouse/Civil Partner /Partner
- Parent/Child
- Brother/Sister
- Grandparent
- Partner of Parent
- Parent of Partner

This is not a definitive list and a Manager's personal knowledge of that colleague and their circumstances might lead to a decision to treat other family members as close family. In a situation where a close friend has died, we may want to consider providing 1 or 2 days paid leave, although this is at the Manager's discretion.

For part time workers, bereavement leave is normally granted pro-rata depending on the number of days worked. However a common sense approach should be applied in each individual case, using discretion where appropriate. Please contact your Regional People Manager (Stores) or People Manager (Head Office and Distribution) if you need further clarification.

COMPASSIONATE LEAVE

We want to support colleagues who are faced with a personal problem that requires them to take a period of time away from work to care for a member of their immediate family, or deal with an exceptional personal or domestic crisis.

5. How do we define "Immediate family"?

- Long term spouse / civil partner / partner
- Parent / child
- Brother / sister
- Grandparent
- Partner of parent
- Parent of partner

This is not a definitive list and a Manager's personal knowledge of the colleague and their circumstances might lead to a decision to treat other family members as immediate family, or grant leave for other compassionate reasons, for example funeral attendance not covered by bereavement policy, or an exceptional domestic crisis such as a flooded house.

The policy is not designed to cater for Maternity, Paternity, Adoption, Parental, Carer's, Force Majeure or Bereavement Leave for which separate policies apply.

6. What is the duration of compassionate leave?

In the first instance we will consider any request for holidays or other practical arrangements to best support the individual, for example shift swaps or making up hours.

Where this is not practical or appropriate, unpaid compassionate leave is normally suitable for time off up to 3 months. Other options should be considered for longer periods. In exceptional circumstances the work level 3 manager may agree full or part payment of the leave (up to a week) or the Director may give approval for payment for longer periods.

7. What is the procedure?

Approval for compassionate leave requests will be on the basis that:

- The colleague gives as much notice as possible
- Normally only one period of compassionate leave is granted for one problem
- The time off is reasonable and sufficient to deal with the problem, but not excessive

If time off exceeds one week, the standard letter should be issued when the period of leave is granted, stating the start and end date of the leave or specifying a date for a review meeting where an end date cannot yet be foreseen. In cases where the colleague is unable to return to work in the agreed period, the option of taking a Career Break should be considered. Regular contact should be maintained with the individual during the period of leave as agreed and stated in the letter. Should the period of leave fall at the end of the holiday year, unused holidays should be taken as part of the absence. The contract of employment will remain continuous during this unpaid leave which will be treated as authorised absence, therefore is not included when calculating a colleague's absence percentage

8. Benefits During Unpaid Compassionate Leave

Colleague Privilegecard: Retained by colleague

Pension Scheme Membership: Pensionable service continues throughout Compassionate leave. Normal pension contributions will be deducted from any holiday pay. However, colleagues will not be required to make standard contributions during unpaid leave. If they return before Pension year ends their contributions will increase to make up the full year payment.

Additional Voluntary Contributions: Contributions will be deducted from any holiday pay. However, colleagues will not be required to make payments during unpaid leave.

Sick pay allowance/ Long-Service Awards: The period of compassionate/emergency leave will count towards continuity of service when calculating eligibility for all service related benefits. The award of such benefits will be made on the colleagues' return to work

Share Bonus Scheme: Whilst on unpaid leave the colleague may receive a bonus. If absent from work for less than 6 months they will receive a bonus. If absent

from work for 6 months or more the bonus will be based on the number of weeks worked i.e. Pro Rata.

Private Health Care e.g. VHI: Where a colleague is provided with cover this continues during the leave. However, BIK deductions will be collected on return to work. Where voluntary contributions are made for partner / family, payments must be maintained through direct debit over the period of compassionate leave to prevent membership from lapsing.

Save As You Earn: Contributions will be deducted from any paid holiday. The colleague may suspend payments for up to six months during this time - The scheme allows for a lapse in payments over the 3 year or 5-year period. If 7 or more payments are missed then membership of the scheme will cease. Opportunity is given for voluntary contributions to be maintained during compassionate leave. Please ask your People Manager for the SAYE contribution form.

Status/ Need Cars/Cash Allowance: Retained by the colleague with the Company maintaining all costs.

Holiday Allowance: Holiday allowance will continue to accrue during compassionate leave.

FORCE MAJEURE

9. What is Force Majeure?

All colleagues are entitled to leave with full pay from his/her employment for urgent family reasons, which are unforeseen, unexpected, sudden injury or illness which affects a member of a colleague's immediate family and makes the immediate presence of the colleague at the place where the ill or injured person is situated, indispensable.

All immediate family are covered by Force Majeure Leave:

- a child/adoptive child
- a person to whom the colleague is in loco parentis (in place of parent)
- a spouse or partner
- a brother or sister
- a parent or grandparent

A person who resides with the colleague in a relationship of domestic dependency.

10. What is the duration of Force Majeure?

A colleague cannot be absent for more than 3 days in any consecutive 12 months, or 5 days in any 36 consecutive months. Absence for part of the day is regarded as a full day of Force Majeure leave.

Force Majeure leave cannot be treated as part of any other leave i.e. sick pay, maternity leave, parental leave or annual leave.

11. How to apply for Force Majeure Leave

A colleague who has availed of their force majeure entitlement must give written notice to his/her employer stating that he/she has taken such leave, the date it was taken and include a statement of facts entitling them to the leave (See the Notice to Employer of Force Majeure Leave document). Please note this form does not absolve the colleague of the obligation to inform the company of his/her absence as soon as possible in accordance with the normal company rules.

Force Majeure leave is not designed to change things that a caring employer would action in any event.

The routine and foreseeable illness of small children or other relevant family members which invariably occur from time to time will not be covered by force majeure leave. There will be obvious exceptions to this which would justify force majeure leave but they should always speak for themselves in terms of the facts of the particular illness and the surrounding circumstances. It is therefore the colleague's responsibility to have in place appropriate arrangements to take care of contingencies concerning routine and predictable illness amongst family members, childminders, etc. as these are not good enough reasons for seeking force majeure leave.

Each case will be looked at on its own merits, should you require any further assistance please contact your Regional People Manager.

12. Records of Force Majeure Leave

The Company must keep a record of force majeure leave taken by colleagues, specifying the period of employment of each colleague and the dates and times of leave taken. These records must be retained for 8 years.

13. Misuse & Abuse of Policy

All normal Company disciplinary procedures will be actioned in the event of misuse.

JURY SERVICE

We will facilitate paid leave for colleagues who have been called for jury service.

14. Who is liable to serve as a juror?

Every Irish Citizen aged 18 to 70 who is registered to vote is qualified and liable to serve as a juror unless he/she is categorised as ineligible or disqualified for jury service. Periods of service normally range from four days to two weeks. Colleagues are legally entitled to be paid while on jury service.

15. What are the guidelines

- A colleague who is summoned to jury duty must inform his/her Manager as soon as possible and produce the jury summons as proof of jury service.
- Colleagues who are called for jury service will be entitled to time off with pay for the period of time they are required to attend court.
- For each day of the jury service, a colleague should receive a day's pay. This should be recorded for payroll purposes as paid absence for jury service.
- Pro Rata colleagues should be paid for the hours they would normally be rostered to work.
- Contracted late night overtime is not paid if it is not worked. However the colleague should be given the opportunity to work the late night at an appropriate time during the same week so that they do not suffer any financial loss.

- If the court is sitting for 5 days in one week the sixth day should be given as a rostered day off for that week.
- The colleague should request a statement with details of their attendance on jury duty from the county registrar's office.
- If a colleague does not have to attend court, he/she is expected to report for work as normal with the relevant documentation issued by the court.

16. Exemption from Jury Service

There are various categories of people specified in the Juries Act who are either ineligible for serving or who may be excused from serving.

In exceptional circumstances, where an individual can prove that it is not practical to attend for jury service because of the nature of his or her work, or if it is an extremely busy time at work, a colleague may, on rare occasions, be excused from duty. This is the exception rather than the norm.

The individual must fill in the form J2 on the back of their jury summons requesting 'derogation' (i.e. jury exemption). This should be supported by a letter from the Manager outlining the reasons as to why the colleague cannot be released. Please contact Personnel Direct for guidance. The County Registrar will decide whether or not to excuse the colleague.

Related reading

Eligibility for Paid/ Unpaid Time Off
Leave Request Form
Record of Leave Tracker
Leave Matrix
Holiday Policy
Supporting Religion and Belief
Unauthorised Absence
Sickness
Maternity
Paternity
Adoption Leave
Foster Care Leave
Fertility Support
Lifestyle Break
Training and Education
Parental Leave

Carers Leave
Career Break
Compassionate leave standard letter
Force Majeure Leave Standard Forms