



# Leave Policy

Version 1.5

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<b>Policy Approver</b>	Administrative Board	<b>Effective Date</b>	28/10/2020		

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## **1 Scope**

- 1.1 This Leave policy aims to inform employees about their requirements regarding their leave entitlements and obligations.

## **2 Purpose**

- 2.1 To continue operating efficiently whilst allowing employees to utilize their leave entitlement.
- 2.2 To ensure that the core functional areas of the organisation are maintained at their optimum complement throughout the year.

## **3 Policy & Procedure**

### **3.1 Vacation leave**

- 3.1.1 All full-time employees are entitled to paid vacation leave (192 hours) and public holidays in accordance with the Employment & Industrial Act. Provided that with effect from 1<sup>st</sup> January 2021, all full-time employees, where a national or public holiday falls on a Saturday, Sunday, or weekly day of rest to which an employee is entitled, such employee, shall be entitled to an additional day of vacation leave during that same calendar year in respect of each national or public holiday, as specified in article 6 of the [National Holiday and Other Public Holidays Act](#). In the case of part-timers and full-timers at reduced hours, the vacation leave entitlement will vary according to the total number of hours worked in any particular month. For balance reference kindly refer to your last payslip.
- 3.1.2 Approval of vacation leave shall be at the discretion of Management at all times.

### **3.2 Procedure for Leave Applications**

- 3.2.1 Employees (except for lecturers) need to submit their request for leave through Shireburn. Lecturers are to submit a Leave Application Form (Appendix A). Vacation leave is to be applied for at least two clear days before for a maximum of one to two days' vacation leave and five clear days or more before if vacation leave is more than a week. Leave applied for must be in terms of hours.
- 3.2.2 Upon approval of leave and before availment, the form must be forwarded to the Human Resources Department for update and reconciliation.

### 3.3 Leave Plans

3.3.1 All members of staff will be required to plan ahead for their vacation leave. The policy of the Institute for Education (IfE) shall be such that:

- All employees are requested to forward their vacation leave plan which covers a range of 10 to 20 days, i.e. **(80 to 160 hours)**

3.3.2 With stating the above range required with regards to planning one's leave, the remaining 4 days (8.75 hours per day during winter schedule and 6.00 hours per day during summer schedule- Winter from 1<sup>st</sup> October to 15<sup>th</sup> June (7.45 – 17.15) Summer from 16<sup>th</sup> June – 30<sup>th</sup> September (7.30 –13.30) of vacation leave remain at the sole discretion of the employee as to when to consume, in accordance with the Employment & Industrial Act.

3.3.3 Employees are only allowed to carry forward not more than 50% of their annual vacation leave entitlement by mutual agreement between the CEO and the employee. **NB. It is important to note that 50% of the balance of leave brought forward refers to the annual leave entitlement ONLY. (See Appendix F).**

- All employees, with no exceptions, are required to submit their leave plan for the following year by the 22<sup>nd</sup> of November (or else the following Monday, if this date happens to fall on a Saturday/Sunday);
- Leave plans will only be accepted on the standardized document that can be found on SharePoint under the HR Dept.
- An HR officer will communicate the approval or otherwise of the presented leave plans by not later than the 14<sup>th</sup> of December (or else the following Monday, if this date happens to fall on a Saturday/Sunday);
- If any employee has any grievances according to the decisions taken with regards to their presented leave plan, they should so communicate in writing using the [Employee Grievance Policy and Procedures](#) addressed to the Human Resources Department within 24 hours of such communication by their direct Manager.
- The Human Resources Department will discuss the grievance of any employee with the Senior Manager/Head of the respective department.
- The decision shall be communicated to the employee making the grievance report.
- In case leave plans are unable to be adhered to, the employee is to inform their direct Manager in writing stating (a) the reasons for such revision of leave plan, *and* (b) must also include another proposed date for the cancelled leave days.
- If the above proposal is not satisfactory according to points (a) and (b), the said cancellation will be forwarded to Senior Management for further consideration.
- Any remaining leave at the year of the end, unless refused or authorized by the Senior Management/HR Department will be forfeited by employees at no cost to the IfE.

### **3.4 Bereavement leave**

3.4.1 Employees are entitled to 2 days of bereavement leave on full pay immediately following the death of any of the following: spouse, partner, parent (or a person who at the time acts as a parent), child, or sibling. Appendix A application must be filled in and passed on to the Human Resources Dept. Kindly tick the box marked Bereavement Leave.

### **3.5 Marriage/Civil Union leave**

3.5.1 Employees are entitled to 3 days of marriage leave at full pay to start from the first working day following their marriage/civil union. Appendix A, application form must be filled in and passed on to Human Resources. Kindly tick the box marked Marriage Leave.

### **3.6 Paternity leave**

3.6.1 Fathers, who are full-time employees at the IfE, are entitled to five (5) working days of paid leave on the occasion of the birth of each child. Appendix A application must be filled in and passed on to the Human Resources Dept. Kindly tick the box marked Birth of a child.

### **3.7 Adoption of a child - leave**

3.7.1 Adoption leave is regulated by the Adoption Leave National Standard Order ([SL 452.111](#)). This leave is designed to safeguard the employment rights of employees who have adopted a child but does not apply in the case of adoptions where the person adopted is the natural offspring of either of the parents.

3.7.2 An employee who is the parent of an adopted child is entitled to an uninterrupted period of eighteen weeks of adoption leave whenever a child is adopted and such leave shall commence on the date when the child passes into the care and custody of the adoptive parent or parents by means of a judgment of a court of law in the country of origin. Please refer to Subsidiary Legislation 452.111 Adoption Leave National Standing Order for full details of this regulation.

### **3.8 Study leave**

3.8.1 Employees wishing to undertake study courses, may, at the management's discretion, be granted study leave as per the Study Leave option under the Leave Policy Appendix C.

3.8.2 Requests for paid study leave are considered:

- on the production of satisfactory documentary evidence confirming the employees' admission to the course;
- if the course has a direct connection with the employees' current duties;
- provided the employing departments are able to release the employee without needing a replacement.

3.8.3 The award of study leave follows the Rules Governing the Award of Sponsorships policy published by the IfE for Public Service in 2018. The application for study leave is found in Appendix C.

3.8.4 In certain circumstances, officers may be granted paid study leave for short periods as follows:

Degree/MQF level equivalent	Maximum per year
Doctorate (MQF level 8)	50 days
Master's (MQF level 7)	30 days
Bachelor's (MQF level 6)	20 days
Diploma (MQF level 5)	14 days
Certificate (MQF level 4)	10 days
MQF level 3 or less	7 days

3.8.5 Employees are reminded of the award of study leave is at the discretion of management and that the application must reach the HR office at least 2 weeks prior to the dates mentioned in the application.

### 3.9 Maternity leave

3.9.1 A pregnant employee shall be entitled to 14 weeks of maternity leave. At least 4 weeks are to be availed of before the due date and 10 weeks after giving birth. Employees are encouraged to refer to DIER for a detailed reference on the subject. Appendix A application must be filled in and passed on to the Human Resources Dept section.

### 3.10 Parental leave

3.10.1 An employee may apply for 3 months of unpaid **parental leave** to look after their child. Such leave may be availed of until the child reaches eight years of age and must be consumed in batches of not less than one month. Parental leave must be authorized prior to consumption. Appendix A application must be filled in and passed on to the Human Resources Dept.

### 3.11 Sick Leave

3.11.1 Staff members are to inform the Human Resources Department via email at [ife.hr@ilearn.edu.mt](mailto:ife.hr@ilearn.edu.mt) when availing themselves of any sick leave. Any day taken as sick leave is to be supported by a medical certificate. If such certificate is not produced, the IfE may (at its discretion) deduct such leave from the annual leave entitlement and may take disciplinary action in the case of abuse.

3.11.2 Employees are requested to inform their direct superior with the number of days they will be away on sick leave.

3.11.3 Employees who are sick for more than 3 days are to forward the original medical certificate to the Department of Social Security, 38, Ordinance Street, Valletta within 10 days of the first day of reporting sick. The copy of the medical certificate is to be forwarded to HR Department. Employees may consult the [Sick Leave](#) entitlement on the DIER website.

3.11.4 No employee may proceed on vacation leave immediately following a period of sick leave unless authorized, which authorization will only be given in special circumstances.

### **3.12 IVF Leave**

3.12.1 This regulation is currently being drafted. Appendix A application must be filled in and passed on to the Human Resources Dept.

### **3.13 Quarantine Leave**

3.13.1 Quarantine leave refers to leave to be granted to the employee without loss of salary in such cases where the employee is legally obliged to abide by a quarantine order confining the employee to a certain area or certain premises as determined by the Superintendent of Public Health under the Public Health Act or by any public authority under any other law. Appendix A application must be filled in and passed on to the Human Resources Dept.

### **3.14 Jury Leave**

3.14.1 Jury leave refers to leave to be granted without loss of salary to an employee who is called to serve as a juror. Employees are asked to consult subsidiary legislation 452.10 (Minimum special leave entitlement regulations). Appendix A application must be filled in and passed on to the Human Resources Dept.

### **3.15 Injury Leave**

3.15.1 Injury leave means leave on full wages, less the full amount of any injury benefit to which the employee may be entitled under the Social Security Act, if the employee suffers personal injury caused by an accident arising out of and in the course of their employment. Employees are asked to consult subsidiary legislation 452.10 (Minimum special leave entitlement regulations). Appendix A application must be filled in and passed on to the Human Resources Dept.

### **3.16 Responsibility Leave**

3.16.1 Full-time employees who have successfully completed their respective probationary period may avail themselves of unpaid responsibility leave to take care of dependent elderly parents, children, or the spouse/partner in a civil union. The approved arrangement will be valid for

twelve (12) months, which may be renewed on a yearly basis. Appendix A application must be filled in and passed on to the Human Resources Dept.

### **3.17 Leave for a Special Reason**

3.17.1 Employees working on a full-time or part-time basis are allowed a maximum of three (3) months of special leave without pay, for a special reason (including work-life balance reasons), in any period of twelve (12) months. Appendix A application must be filled in and passed on to the Human Resources Dept.

3.17.2 Applicants should submit the request at least two (2) weeks in advance, attaching the relevant documentation.

### **3.18 Other Measures for Work-Life Balance**

**3.18.1 Career Break** - Parents/legal guardians, who have successfully completed their respective probationary period with the IfE, are entitled to unpaid Career Break to be utilised for the care of child/children under ten (10) years of age. The maximum duration of the Career Break is five (5) years. The five (5) years must be utilised in aggregate and may be reduced by multiples of three (3) months. Any career break declared in the application form which has not been utilised, is forfeited and may only be taken for the care of another child/children. Unpaid leave from the entitlement of five (5) years may be shared once by both parents, for each child. Unless worked after the maternity leave or parental leave, the six (6) months which have to be worked by female employees who avail themselves of paid maternity leave must be worked immediately before/after the career break. The application form for a Career Break may be found on page fifty (50) of the following document: [Manual for Work-life Balance Measures](#).

**3.18.2 Reduced Hours** - Full-time employees who have successfully completed their respective probationary period are eligible to apply for reduced hours. Eligibility includes employees who:

- Are availing themselves of parental leave or would, had they applied, have been entitled to parental leave;
- Are availing themselves of responsibility leave or would, had they applied, have been entitled to responsibility leave. Employees on parental or responsibility leave are allowed to suspend the unpaid leave and return to work on reduced hours, provided that they apply at least one (1) month in advance of suspending the unpaid leave;
- Provide a medical certificate that for medical or serious humanitarian and/or family reasons, they may not attend their duties on a full-time basis.

3.18.2.1 This is not an exhaustive list and other reasons may also be considered. The approved arrangement is valid for twelve (12) months, which may be renewed yearly.

3.18.2.3 All applicable conditions and the application form for reduced hours may be found in the Manual for Work-life Balance Measures document.

**3.18.3 Flexi-time** – Full-time employees who have successfully completed their respective probationary period, provided that operational requirements are met. Flexi-time arrangements are valid for a period of twelve (12) months, which may be renewed yearly.

3.18.3.1 All applicable conditions and the application form for reduced hours may be found in the Manual for Work-life Balance Measures document.

**3.18.4 Teleworking** – Full-time employees who have successfully completed their respective probationary period and whose job performance, traits, and skills as well as the nature of their job, are suitable for telework. A telework agreement is valid for a period of twelve (12) months, which may be renewed yearly. However, employees who find the teleworking arrangements unsatisfactory should be allowed to opt-out of the agreement. The teleworking arrangement is entirely voluntary and may neither be imposed by the CEO nor demanded as of right by the employee. Furthermore, the office telephone line must be diverted to the teleworker's home landline so as to reduce the added workload on non-beneficiaries and to ensure better service delivery. Finally, teleworkers should make use of the logbook to record any files that are being used at home. The telework application available [here](#) must be filled in and passed on to the Human Resources Department.

#### 4 Public holidays

4.1 All employees are entitled to public holidays as published in the Government Gazette each year.

1 <sup>st</sup> January	29 <sup>th</sup> June
10 <sup>th</sup> February	15 <sup>th</sup> August
19 <sup>th</sup> March	8 <sup>th</sup> September
31 <sup>st</sup> March	21 <sup>st</sup> September
Good Friday	8 <sup>th</sup> December
1 <sup>st</sup> May	13 <sup>th</sup> December
7 <sup>th</sup> June	25 <sup>th</sup> December



## 5 Disciplinary Procedures

- 5.1 Head of Section or Senior Managers are encouraged to make sure that this policy is followed truly by their colleagues. It is at the discretion of Senior Managers to report any non-compliance to the HR office to initiate disciplinary procedures.

## 6 Related Documents

- [Adoption Leave](#)
- [Budget Summary 2020](#)
- [Employee Grievance Policy and Procedure](#)
- [Employment and Industrial Relations Act](#)
- [Grievance Policy and Procedure](#)
- [Leave - DIER website](#)
- [Minimum special leave entitlement regulations \(Chap 452.101\)](#)
- [Paternal Leave Regulations](#)
- [Protection Of Maternity At Workplaces Regulations \(S.L. 424.11\)](#)
- [Protection of Maternity \(Employment\) Regulations \(S.L.452.91\)](#)
- [PSMC 2017](#)
- [Regulations on Maternity and Work](#)
- [Sick Leave](#)
- [Social Security Act \(CAP. 318\) as amended by ACT XVI of 2017](#)

## 7 Version history

Originator	Version	Date	Changes Done
HR Dept.	1.0	28/10/2020	First Release
	1.1	29/10/2020	Addition of Appendix F
		05/11/2020	Addition of Study Leave option 3.8
QA Dept.	1.2	26/01/2021	Updated 3.6 and 3.16 Included new sections: 3.17 and 3.18
HR Dept.	1.3	25/08/2021	Updated 3.11 Sick leave Updated Section 5
HR Dept.	1.4	24/03/2022	Updated 3.1 Removal of Gender Pronouns
QA Dept.	1.5	03/05/2024	Updated links

## **Appendix Contents**

This Leave Forms document contains all the Appendices mentioned in the Leave policy.

The form in Appendix A can be used to apply for the following situations

- Adoption of a child
- Bereavement leave
- Birth of a child
- Jury Leave
- Marriage leave
- Vacation Leave
- etc

Appendix B is the STUDY LEAVE FORM which must be completed by employees who have signed

Appendix C is the Form of Undertaking of Sponsorship for Study Leave to be signed by the employee requesting the Study Leave Sponsorship and the CEO of the IfE.

Appendix D contains the Rules Governing the Award of Sponsorship for Study Leave which must be signed by the employee requesting the Study Leave Sponsorship and the CEO of the IfE.

Appendix E is the Form requesting to carry forward leave to next year. The form has to be signed by the employee requesting the accumulation of leave and the CEO of the IfE.

**Appendix A**

- |                            |                          |                  |                          |
|----------------------------|--------------------------|------------------|--------------------------|
| Vacation Leave             | <input type="checkbox"/> | Jury Leave       | <input type="checkbox"/> |
| Bereavement leave          | <input type="checkbox"/> | Injury leave     | <input type="checkbox"/> |
| Unpaid Vacation Leave      | <input type="checkbox"/> | Paternity Leave  | <input type="checkbox"/> |
| Marriage leave             | <input type="checkbox"/> | IVF leave        | <input type="checkbox"/> |
| Responsibility Leave       | <input type="checkbox"/> | Quarantine Leave | <input type="checkbox"/> |
| Adoption of a child        | <input type="checkbox"/> | Maternity Leave  | <input type="checkbox"/> |
| Leave for a Special Reason | <input type="checkbox"/> |                  |                          |

Surname \_\_\_\_\_ Name \_\_\_\_\_

Grade \_\_\_\_\_ Tel. No. \_\_\_\_\_

ID No. \_\_\_\_\_ IFE Dept: \_\_\_\_\_

**Dates applying for leave.**

On: \_\_\_\_\_ No. of hours: \_\_\_\_\_

On: \_\_\_\_\_ No. of hours: \_\_\_\_\_

**Total number of hours since 1st January**

\_\_\_\_\_ *including this application.*

\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature of Line Manager**

**Approved** \_\_ **Not Approved** \_\_

\_\_\_\_\_  
**Signature of CEO**

**Rubber Stamp**

For office use only

**NB.**

1. The Rules Governing the Vacation Leave are regulated by the PSMC.
2. Approval of vacation leave is at the discretion of Management.
3. Applications need to reach the HR office a minimum of 2 days before the dates on the application.
4. The Ministry for Education & Employment collects and processes information to carry out its functions under the Education Act. All data is collected and processed in accordance with the Data Protection Act 2001, other subsidiary legislation, and the Privacy Policy of the Department.

**Appendix B**

**STUDY LEAVE FORM**

Surname \_\_\_\_\_ Name \_\_\_\_\_

Grade \_\_\_\_\_ Tel. No. \_\_\_\_\_

ID No. \_\_\_\_\_ IFE Dept. \_\_\_\_\_

**Dates applying for Study Leave.**

On: \_\_\_\_\_ No. of hours: \_\_\_\_\_

On: \_\_\_\_\_ No. of hours: \_\_\_\_\_

On: \_\_\_\_\_ No. of hours: \_\_\_\_\_

**Total number of study hours since 1st January.....**

\_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant**

\_\_\_\_\_  
**Signature of Line Manager**

\_\_\_\_\_  
**Signature of CEO**

\_\_\_\_\_  
**Date**

**Approved** \_\_ **Not Approved** \_\_

**Rubber Stamp**

For office use only

**Appendix C-Form of Undertaking of Sponsorship for Study Leave**

Personal information on this form is protected and used in accordance with the Data Protection Act.

(Amend the text within brackets accordingly)

I acknowledge that in accepting the (*Sponsorship of study leave*) ..... to enable me to follow a (*type of qualification and area of study*) ..... at (*name of University/Educational Institution*)....., during the period (*period of study leave*) ..... I take advantage of public funds in order to complete the said training and I agree that on completion of the training/studies I will continue to serve the IfE for a period of (....**1\***) months/years from the production of the documentary evidence showing successful completion of my studies.

I also accept that the above-mentioned sponsorship is being granted to me under the conditions set out in the rules governing the award of sponsorship by IPS in 2018 to which I hereby bind myself, a copy whereof is being signed by me and attached hereto.

.....  
(Name and signature of beneficiary)

.....  
ID Number

.....  
.....  
(Name, grade and signature of CEO of IfE

ID Number

.....  
(Date)

The information shown on this form will be used by the IfE for record-keeping purposes and for any action that may be required relating to this Undertaking.

## Appendix D – Rules Governing the Award of Sponsorship for Study Leave

Before embarking on the application, the applicant together with a representative from the HR department of the IfE must determine the binding period.

The sponsorship holder will be required to sign this Appendix E & D as an undertaking binding them to serve the IfE for a given period, as stated hereunder, from the date of successful completion of their studies.

Duration of Sponsorship.	Period for which the beneficiary will be bound to serve	The beneficiary to initialise the relevant period
Up to 1-week duration or up to €700 expenses	6 Months	
Above 1 week and up to 1 month or up to €1300 expenses	9 Months	
Above 1 month and up to 3 months or up to €1900 expenses	1 Year	
Above 3 and up to 6 months or up to €3000 expenses	2 Years	
Above 6 and up to 9 months or up to €4100 expenses	3 Years	
Above 9 and up to 12 months or up to €6000 expenses	4 Years	
Above 12 months or up to €8500 expenses	5 Years	

I also accept that the above-mentioned sponsorship is being granted to me under the conditions set out in the rules governing the award of sponsorship (IPS 2018) to which I hereby bind myself, a copy whereof is being signed by me and attached hereto.

.....  
(Name and signature of beneficiary)

.....  
ID Number

.....  
(Name, grade and signature of CEO of IfE)

.....  
ID Number

.....  
(Date)

1\* As per the table on page 6 in this Appendix

**Appendix E-Request for accumulation of annual leave**

Surname \_\_\_\_\_ Name \_\_\_\_\_  
 Grade \_\_\_\_\_ Tel. No. \_\_\_\_\_  
 ID No. \_\_\_\_\_ IFE \_\_\_\_\_  
 Section \_\_\_\_\_

**I kindly request to carry forward .....hrs from my current entitled annual leave to next year (20.....).**

\_\_\_\_\_  
**Signature of applicant/employee**

**Approved \_\_ Not Approved \_\_**

\_\_\_\_\_  
**Signature of Line Manager**

**Rubber Stamp**

**Approved \_\_ Not Approved \_\_**

\_\_\_\_\_  
**Signature of CEO**

**Rubber Stamp**

For office use only
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- |  |
|--|
| <p><b>NB.</b></p> <p>1. The Rules governing annual Leave are regulated and presented in the PSMC manual.</p> <p>2. Employees may request an accumulation of vacation leave for the following year for up to 50% of the annual leave entitlement.</p> <p>3. Approved applications need to reach the HR office by no later than the first week of December.</p> <p>4. The Ministry for Education &amp; Employment collects and processes information to carry out its functions under the Education Act. All data is collected and processed according to the Data Protection Act 2001, other subsidiary legislation, and the Department's Privacy Policy.</p> |
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