

COMPANY

**Employee Handbook**

**2023 Edition**

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# WELCOME TO COMPANY

At COMPANY, we aim to encourage an open and communicative managerial style that promotes continuous self-development and a supportive work environment. In addition, our aim is to provide strong leadership, excellent conditions and a safe work environment to help you to realise your career potential and maintain a high level of job satisfaction.

As an employee, you play an essential role in helping us to realise our business objectives. We hope that you will continue to enjoy working with us and that we will be able to provide you with the guidance and support required allowing you to drive your career forward. As we will play a large part in the development of your career both personally and professionally, we look forward to assisting you in any way possible to achieve your own personal goals and objectives in line with our business practice.

We hope that you will find this handbook interesting and informative and if there are any details, which you do not understand, please contact your team leader who will be delighted to assist you. The handbook documents our policies and procedures and other relevant information pertaining to your employment with us.

This handbook is an integral part of your employment contract and, together with your contract, forms your written terms and conditions of employment, and you are required to study it carefully. It is important to be aware of all the procedures and codes of practice contained herein. Please note that from time to time this handbook may be amended and that such amendments will form part of your conditions of employment.

Finally, I would like to reiterate our commitment to you and wish you continued success in your career with COMPANY.

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CEO

# INTRODUCTION TO COMPANY

## Pre-Employment Requirements

• In advance of your employment with us we require the following information from you:

• Full address, contact details, and phone numbers of next of kin/emergency contact;

• Signed contract of employment;

• Educational references/professional membership associations (if applicable);

• References from previous employers, or character reference;

• School/college or other references may be accepted in certain circumstances;

• Bank details

In order to ensure that staff records are kept up to date you are required to inform your manager of any changes made to the following:

• Name, address and contact details;

• Next of kin/emergency contact details;

• Additional qualifications acquired;

• Bank details;

• Notification of any employment outside of the company

If you have any queries relating to personal income tax please contact your designated tax office or the Revenue Commissioners at www.revenue.ie.

## Method of Payment

Wages are paid monthly in arrears, payment is normally made on the 20th of each month by direct transfer, and you will receive a wage advice slip showing your gross pay, deductions and net sum credited.

## Overtime

The company’s policy is to minimise the necessity for working extra hours or overtime as far as possible. Inevitably, however, situations do arise where it becomes essential. Every effort is made to give you as much advance notice as possible.

## Hours of Work

You should be conscientious about your attendance and punctuality at work. You are part of a team and getting the work done depends on everyone being in the right place at the right time.

Lack of punctuality or regular absences from work may give rise to disciplinary action, including dismissal where considered appropriate by the Company.

Each individual’s hours of work are stated on their contracts of employment and are in accordance with the requirements of the Organisation of Working Time Act 1997. These hours may be subject to change in consultation with you.

Your contract of employment also outlines the statutory rights for employees in relation to rest periods, maximum working time and holidays. The company reserves the right to alter break times in accordance with the needs of the business. Breaks in accordance with statutory requirements will not be affected.

## Pension / PRSA

COMPANY does not provide an occupational pension scheme for employees, but, under the Pensions (Amendment) Act 2002, the company does provide access to an appointed standard Personal Retirement Savings Account (PRSA) contract.

The company will, if requested, make deductions from the payroll at the employee’s request in respect of the employee’s contribution to the PRSA, although there is no obligation on employees to make any such contributions.

##  Place of Work

Your place and location of work is detailed in your contract, and you will be expected to be ready to start work in accordance with your daily hours at that location.

Due to the nature of the business and type of work you are employed to do, a certain degree of flexibility regarding location of work is required within reason.

You may be required to work at different locations as part of your role every week; you may be required to work at different location than your usual location from time to time, you will be given as much notice in advance of any such change as possible.

## Lay-Off and/or Short-Time

The Company reserves the right to reduce your working hours where, through circumstances beyond its control, it is unable to maintain you in full-time employment.

You will receive as much notice as is reasonably possible prior to such lay-off or short-time, you will not be paid during the lay-off period.

You will only be paid for time actually worked during periods of short-term.

## Timesheets

You are required under the terms of the Organisation of Working Time (Records) (Prescribed form and Exemptions) Regulations, 2001, to complete a timesheet each week indicating your hours of work. These must be signed (by both you and a member of management team) and returned to the office for recording purposes.

As indicated in your contract of employment, an employee may in certain circumstances be required to adjust or exceed their hours of work above, in order to ensure the efficient discharge of the employee's duties and/or to meet the needs of the company. This will again be in accordance with the Organisation of Working Time Act, 1997.

You are required to give details of dates worked, plus start time and finish times of each day, as well as the times of each break that you took during each day on the time sheet.

## Probation

A period of probation of 6 months will apply from commencement of employment. During this time, the contract may be terminated at any time and notice provided will be in line with current employment legislation.

The probation period is designed to give the employee the opportunity to assess their suitability and interest in the position at hand, while at the same time enabling the company to establish the compatibility of the employee to the work environment.

The probation period may be extended at the discretion of management but in any case will not exceed one year. The company reserves the right to terminate your employment during this period also.

Normal company disciplinary procedures will not apply during the probationary period.

# Company Policies

## Absence Due to Illness

As outlined in your contract of employment, you are expected to report for work as required unless you are incapacitated by illness, absent with the prior permission of your manager or otherwise unavoidably absent. In the event of being unable to report for work you are expected to notify your line manager / CEO, by phone within 30 minutes before your normal start time. NOTE: Text and email notification is not acceptable. Failure to notify the company will result in your absence being classed as unauthorised.

In the event of personal illness you must notify your manager and indicate the date in which you expect to return to work. If you perceive during your illness that you will need additional time to recover, please contact your manager at the earliest convenience to make them aware.

COMPANY pays sick pay in line with the statutory sick pay obligation. Employees are entitled to statutory sick pay as provided for under the Sick Leave Act 2022 which is subject to annual variation. You will be paid at a rate of 70% of normal daily rate, or €110 per day, whichever is the lesser amount. An employee must obtain an original certificate from a qualified Medical Practitioner to cover day one of the absence to avail of Statutory Sick Pay, and the entitlement is subject to the employee having worked for the company for a minimum of 13 weeks. Accordingly, you may need to submit a claim to the Department of Social Protection, after 3 days of illness. To apply for illness benefit, an employee should obtain a social welfare claim form from their doctor or hospital and submit it to the Department of Social Protection.

In the event that you are not claiming your entitlement for Statutory Sick Pay the employee will need to present an original certificate from a qualified Medical Practitioner to his/her immediate manager for an absence of 2 consecutive days or more.

Employees who are absent through unauthorised or uncertified absence will be subject to disciplinary investigation and could face sanctions up to and including dismissal.

In the case of long-term illness a certificate must be provided every two weeks unless an alternative agreement has been approved by the company. The company reserves the right to refer a case to a doctor of their choice, which may involve a medical examination. This may also be the case when an employee is returning to work after a prolonged or serious illness. Please note that failure to abide by this policy may result in disciplinary action being taken up to and including dismissal.

You will not be permitted to return to work, following a prolonged period of illness, without presenting a fit for work certificate from your doctor.

## Alcohol & Drugs Policy

**Aims**: COMPANY recognises that for a range of reasons individuals can and do misuse drugs and alcohol,

and that this represents a problem for the individual and for the company. The effects of drug and

alcohol misuse range from absenteeism, low productivity and increased disciplinary action to injury

in the workplace. This policy has therefore been adopted in order to protect all employees and the

business.

**Definitions**: Alcohol misuse is defined as consumption of alcohol during working hours, or attending

work under the influence of alcohol. Drug misuse refers to the use of illegal substances and the

misuse of prescribed drugs and other substances such as solvents.

**The Rules**: COMPANY does not permit:

* Drug or alcohol misuse during working hours (including breaks or on the way to work)
* Being under the influence of drugs or alcohol while at work
* Encouraging others to misuse alcohol or drugs.

**Help**:

We can offer practical support to those experiencing problems and we may be able to refer employees to an appropriate advisory service. COMPANY encourages employees to seek specialist help if they feel that they have an alcohol or drug problem. The company is also committed to providing information to employees about the effects of drugs on health and safety.

**Disciplinary Action**:

Drug and alcohol misuse may become a matter for disciplinary action in accordance with the disciplinary procedure, particularly where help is refused and/or impaired performance continues. Dismissal may result from disciplinary action.

**Reporting**:

Possession of and dealing in illegal substances will be immediately reported to the Garda in all cases; there is no alternative to this procedure.

## Communication

It is the policy of the company to encourage open and proactive communication within the organisation. In order to achieve this we provide an open door policy whereby we would encourage each member of staff to communicate any issues or concerns that you may have.

You should feel free to approach your immediate manager or any other member of management if you have a concern that has not been addressed.

Through open communication and firm commitment, we are keen to develop a mutual level of respect that will consequently lead to a long-term relationship that will grow from strength to strength in the coming years.

## Company Property

Any allegations regarding the theft, damage or misuse of company property will be investigated, and if necessary, reported to the Gardaí and any other appropriate authority.

Intellectual property is the property of the company. It is an offence to utilise any of this intellectual property for means other than company business. This applies not only during the course of employment but also thereafter should an individual leave employment.

## Confidentiality

Employees are not authorised to disclose any information, which is regarded as confidential by the company to any third party. This includes all confidential information on the company’s databases relating to company affairs and details about COMPANY’s actual or potential clients, and employees.

Employees are not permitted to make a copy, summary or abstract of any documentation belonging to the company without obtaining expressed permission from the management of the company.

Breach of this policy will be dealt with through the disciplinary procedure, which could result in dismissal.

## Double Employment Declaration

During your employment, you are expected to devote your time, attention and skills exclusively to the business of the company and you must use your best endeavours to promote the interests, business and welfare of the company. Should you, during the continuance of your employment engage in other work or employment for any other party you must notify the company.

You are therefore requested to declare any such employment, or intended employment to your manager. Employees who fail to declare other employment may be liable for disciplinary action.

## Dress Code

The company’s dress code policy aims to provide employees with coherent, unambiguous guidance of the minimum standard of personal presentation expected whilst carrying out the duties associated with their employment.

It is the policy of the company that each employee’s personal presentation should be appropriate to their work situation and that they project a professional image whilst adopting a “business-casual” approach to work wear.

All employees issued with a uniform are exempt from this policy as the nature of the work undertaken is liable to cause excessive wear and tear on personal clothing. There is also a security element attached to the need to wear such prescriptive attire, as such employees need to remain recognisable whilst on client sites. Employees working on client premises must adhere to any dress code policy operated by the client.

This policy does not aim to replace any guidance or requirements that exist in relation to specific health and safety requirements such as the use of personal protective clothing and employee’s will be informed of any specific health and safety guidelines that may apply in such circumstances.

Where an employee is required to attend a formal business meeting or client/supplier premises, or conduct a face to face interview this policy will not apply as each of these circumstances warrants more formal “business-smart” attire, e.g. business suit, coordinating separates, or shirt and tie.

“Business casual” dress offers an alternative to the more traditional, formal business attire of dress, skirts, suits and ties. However, it is important to remember that there will always be a time and place for formal business dress and employees are encouraged to consider their day’s schedule when deciding what to wear. This policy does not enforce the wearing of a “business casual” style and the organisation fully permits and respects any employee who chooses to wear more formal business attire on a daily basis.

The health and safety of COMPANY employees is of paramount importance and this is reflected in the items of clothing, head/foot wear prohibited for wear under this policy.

This policy, which is applicable to all employees with the exceptions stated, endeavours to outline the types of permissible work wear for the spectrum of working situations likely to be encountered by employees whilst ensuring respect for the diversity and freedom of choice of each individual.

Management reserves the right to request that any employee failing to meet the standards of dress described within this policy remedy the situations by returning home to change into attire that is more appropriate. Repeated breaches will be regarded as a disciplinary offence and action taken as necessary up to and including dismissal, under the company’s disciplinary procedures.

## Employee’s Property

It is the policy of the company not to take responsibility for the loss or damage of employees' property, including motor vehicles, bags, clothing, etc., brought onto or held / stored on company premises. However, employees' should report all property lost or found to their immediate manager as soon as they notice it is missing.

## Health and Safety at Work

The company recognises the importance of health and safety at work and has established rule and procedures to assist in accident prevention.

The main legislation providing for the health and safety of people in the workplace is the Safety, Health and Welfare at Work Act, 2005. The Act sets out the duties of employees while at work and include the following:

• To take reasonable care to protect the health and safety of themselves and of other people in the workplace

• Not to engage in improper behaviour that will endanger themselves or others

• Not to be under the influence of drink or drugs in the workplace

• To undergo any reasonable medical or other assessment if requested to do so by the employer

• To report any defects in the place of work or equipment which might be a danger to health and safety.

All employees are expected to behave responsibility and to observe any safety regulations. Employees have a duty to take any precautions necessary to reduce the possibility of risk to themselves and to others.

There are established procedures and rules to ensure your safety in the case of an emergency such as a fire. In addition to the management’s responsibility for your safety, you too have responsibility to co-operate with the company, use any protective equipment supplied; report to the company without reasonable delay any defects in equipment which might affect your safety or welfare; not to intentionally or recklessly interfere with or misuse

anything provided for safety, health or welfare of other staff members or of their work activities. First Aid facilities are available on the premises.

You should keep your workplace tidy, not only for reasons of safety, but to ensure that company documents are not left lying about.

Where your work is completed on non-company sites/property such as supermarkets and other premises where we are contracted to work on behalf of our clients, you are requested to make yourself aware of the safety statements in operation in these premises, including details of building access, fire regulations and first aid.

Detailed procedures to be followed in relation to hygiene are included in the employee codes of practice for each relevant contract and should be read and understood fully prior to commencing work.

All accidents in the workplace must be reported immediately to the store manager and your immediate supervisor or head office, using the company Accident Report Form. In any case where the injury sustained requires medical treatment, the employee concerned must forward a copy of all relevant medical reports to the company.

## Liability to Search

It is a condition of employment that any employee may at any time be searched by a member of management. The company has the authority to search an employee, an employee's belongings, including their motor vehicle when they are entering or leaving the company's premises and any other premises to which the employee is assigned in the course of his/her employment. An employee is entitled to have witness in attendance during any search.

An employee who refuses to co-operate fully with any search request or is found to be in possession of any property belonging to the company or to any party other than the employee being searched is liable to serious disciplinary action up to and including dismissal, following a full investigation.

## Part-Time Working Policy

Access to part-time/flexible work is available to all qualifying employees.

All employees are eligible to apply for flexible working, if you have been continuously employed for at least 26 week at the time the application is made and have not submitted an earlier application to work flexibly in the previous twelve months.

The company will give consideration, wherever practicable to requests to transfer from full- time to part-time work and from part-time to full-time work, or to increase working time, should the opportunity arise. If you move to part-time work, or have a reduction in your working hours, your status and employment remain unaltered, with the exception of you salary and benefits, as appropriate. The pro-rata principle will apply where appropriate.

Full details of how to make a request, including reasons why requests may be refused, are available on request.

## Periods of Notice

Except in circumstances justifying immediate termination of you employment by the company you will be entitled to receive an appropriate period of notice set shown in the Minimum notice and terms of Employment Act, 1973 - 2001:

Length of Service Minimum Notice

13 weeks to 2 years 1 week

2 years to 5 years 2 weeks

5 years to 10 years 4 weeks

10 years to 15 years 6 weeks

More than 15 years 8 weeks

The Company reserves the right to require you not to attend the Company’s premises during any period of notice, or alternatively, to require you to carry out other duties and functions as may be prescribed by the Company during this time. The Company reserves the right to make deductions from final pay for any monies due to the Company or in lieu of company property not returned.

## Retirement

The company retirement age is 65 years of age. An employee’s contract will terminate when an employee has reached this age, and the company will endeavour to inform an employee at least 6 months in advance of that date in writing.

The option to continue working beyond retirement age may be available following a risk assessment, based on health and safety regulations.

## Smoking

Smoking (including eCigs) is prohibited throughout the workplace with no exceptions. The policy applies to management, customers and all staff. The overall responsibility for the implementation of this policy rests with the management of the company, with all staff having an obligation to adhere to the policy. Smoking is only permitted in outdoor areas, as notified.

Any infringements will be dealt with under the disciplinary procedure, by law, for prosecution.

## Social Media Policy

The Social Media Policy document provides guidance and direction to staff when utilising all types of online social media sites and networks. This policy applies to all employees either participating personally, or communicating on behalf of the company, while online.

Misuse or abuse of social and digital media can cause significant injury to third parties and can also impact negatively on the credibility of the company. This is particularly relevant in the context of safeguarding personal information. The company is potentially vicariously liable for injury caused by misuse or abuse of social and digital media channels by its employees. Consequently the company takes any misuse or abuse of social and digital media

by employees very seriously and can lead to significant disciplinary and legal actions.

Like all employee policies, it is the responsibility of local line management to address any issues that arise in relation to breach of these policies and regulations. There is also a significant personal responsibility placed on each employee.

* **Information Security Policy**

Each user is responsible for respecting and protecting the privacy and confidentiality of the information they process at all times

* **Electronic Communications Policy**

Confidential information regarding company business practices and procedures or personal information about any suppliers, clients or employees must not be posted or discussed on internet social networking websites, internet video hosting/sharing websites, internet discussion forums, message boards or internet chat rooms.

The company reserves the right to take such action as it deems appropriate against users who breach the conditions of these policies or Data Protection regulations.

Employees who breach these policies may be denied access to the organisation’s information technology resources, and may be subject to disciplinary action, including suspension and dismissal as provided for in the disciplinary procedure.

* **Code of Standards and Behaviour**

There is an implied term of mutual trust and confidence between employer and employee in all employment contracts. A very negative, defamatory or damaging posting or communication by an employee may entitle the employer to proceed with the Disciplinary Process, including investigation, and discipline up to dismissal if warranted. If defamatory material is posted on a social networking site, defamation claims may arise against the employee.

Employees must not improperly disclose, during or following termination of employment, information gained in the course of their work. Employees are expected to comply with the Code of Standards and Behaviour at all times. Breaches of the code will constitute a breach of the terms of employment and may result in disciplinary action being pursued in accordance with agreed procedures.

* **Representing the Company**

The same rules that apply to our communications in traditional media, like newspapers, television and radio, also apply in online news or social media sites or networks.

* + Official comment from the company to be broadcast online should be routed through appropriate Communications to staff in the first instance.
	+ Any section / department that wishes to establish a social media profile or site should seek communications support via the appropriate manager, who will then be responsible for the ongoing management and governance of authorised social media pages or profiles and consequently must be familiar with this policy document.
	+ The company will ensure that any official comments made online meet obligations under the Data Protection Act, especially in relation to private information.
	+ It will also be cognisant of any copyrights, trademarks, rights of publicity, and other third party rights in the online social media space, including user generated content (UGC).
	+ Any requests from the media, public representatives or other organisations for official comment from the company on any topic should be referred to the manager.
* **Personal Social Media Profiles**

Over 2 million people in Ireland have a Facebook profile, and most of them use it on a weekly or daily basis. There is a wide range of websites that allows visitors to establish a profile and enter into debate, comment and conversation online, like YouTube, Twitter, Pinterest, news sites like the Journal.ie and many more.

Everyone is entitled to explore and engage in social media communities in a personal capacity, at a level at which they feel comfortable. As time passes, more and more people tend to link together in this way, and many social media sites will continue to allow you to register personal information like your hometown, education, likes, interests - and details of your employer.

If you choose to identify yourself as an employee on social media profiles, or in your commentary on personal topics within social media sites, it is important to use common sense and be aware of the nature of your comments and their possible consequences. It is important that all our employees are aware of the implications of engaging in forms of social media and online conversations that reference the company or your association with the company. Privacy, Data Protection requirements, defamation law and basic duty of care all still apply in comments that are made while off-duty and online. If an employee comments online in a personal capacity while identified as an employee, these comments can be attributed or perceived as the official position of the company.

Remember, when using social media in personal time:

* Be respectful of all individuals, races, religions and cultures; how you conduct yourself in the online social media space not only reflects on you – it is a direct reflection on your professionalism, your clients and your employer.
* Think before you post. Anything you post that is inaccurate, unfair, or breaking privacy standards will ultimately be your responsibility.
* You may come across negative posts about the company, but should avoid responding yourself. The post in question should be forwarded to the manager who is authorised to respond to comments on behalf of the company.
* Be conscious when mixing your business and personal lives. Online, your personal and business profiles are likely to intersect. The company respects the privacy of all employees, but you must remember that clients and colleagues may have access to the online content you post. Keep this in mind when publishing information online that can be seen by more than friends and family, and know that information originally intended just for friends and family can be forwarded on very easily.
* Know that the Internet is permanent. Once information is published online, it is essentially part of a permanent record, even if you “remove/delete” it later or attempt to make it anonymous.
* **Protecting Employees from online abuse**

Given the nature of and the high levels of participation in social media sites like Facebook in Ireland, employees may from time to time become the victim of abuse or defamation by members of the public through comments made and published on the internet or on social networks.

Where this occurs, local line management will work to support its employees in every way possible. Responsibility for responding to staff concerns about and co-ordinating the response to abusive online comments rests with local line management, as is does with all staff health safety and welfare issues.

Where staff are notified of or are concerned about an abusive or defamatory post, profile, comment or page relating to an employee or service, this should be reported immediately to the senior line manager. The line manager should arrange for the post to be reviewed, and where possible or appropriate, the post should be reported as abuse with the relevant site’s existing reporting process. A screenshot should be recorded of the comment.

The company senior management are available to assist line managers in responding to cases such as this, by providing access to sites such as Facebook to allow for online reporting, and also by giving advice on how to approach website or network owners and publishers directly in relation to reporting abusive content.

## Termination of Employment

If you wish to terminate your contract of employment, you will be required to give the minimum notice period as set out in the Minimum Notice and Terms of Employment Act, 1973 -2001 (see above), in writing, irrespective of your length of service, unless it is otherwise stated in your contract of employment. Notice will run from, and include the day on which it is given.

During your probation period, the company or employee may terminate employment at any time by giving notice in line with current employment legislation.

Outstanding leave may be taken during this notice period. Any outstanding holiday entitlements may be taken as part of your notice period subject to the agreement of your line manager. Alternatively it will be paid to you with your final salary payment.

You will be required to return all company property on the last day of employment.

## Use of Telephone, E-mail and Internet

Telephone, E-Mail and Internet usage is primarily for business use.

Staff are made aware that the email and internet facilities and the related equipment and technology (including all information on such systems) are the property of the company.

The company discourages the use of email for personal messages. Employees who have internet access are required to monitor their personal usage to ensure that it is kept to minimal levels. Any person found abusing the system will have the facility withdrawn and will be dealt with through the disciplinary procedure.

The company’s policy in relation to harassment, discrimination and misuse of confidential information also applies to e-mail messages, and use of the Internet. It is against the policy of the company for any staff member to make derogatory statements, offensive comments or jokes, or display offensive visual materials.

Inappropriate use (including time and nature) of e-mails or internet will be investigated and will lead to disciplinary action up to and including immediate dismissal.

The company recognises that in certain circumstances, staff may be required to make and receive personal telephone calls (including personal mobile phones). These calls should only be made or received if absolutely necessary. Any employee found abusing the use of the telephone will be dealt with through the disciplinary procedure.

## Hybrid Working Policy

This Hybrid Working Policy exists due to the changing working landscape created by the global pandemic and the Hybrid Working Draft Bill (January 2022) has been created by government to underpin the employee’s right to request remote working. A framework has been put in place to ensure to facilitate employees who wish to request remote working and to establish the framework as to what this will look like in COMPANY.

Given the range of roles within our business, there will be many factors affecting the suitability of hybrid working for both employees and our business. If an employee wishes to have a hybrid working arrangement in place, we will consider their request, but it is essential that this has at least a neutral impact on our business and does not establish any rigid working practices that cannot then adapt to changing business and/or individual needs. Each request will be treated individually and on a case-by-case basis, and no arrangement will set a precedent for another.

The term remote work refers to the broad concept of an arrangement where work is fully or partly carried out at an alternative worksite other than the default place of work. This may be home, a hub environment or a change in geographical location. Hybrid working can be introduced so long as the arrangement also meets the needs of the business.

Hybrid working will only be possible if it can be demonstrated that the employee's absence from the workplace will not:

• be to the detriment of the quality of output/have an adverse effect on the level of output and/or quality of the service

• create problems for other employees, such as increased workload

• be to the detriment of our reputation.

**Line Manager Responsibilities:**

• Providing the necessary Health and Safety information and arrangement of a risk assessment

• Ensuring that homeworkers are included in all communications and training initiatives

• Ensuring that homeworkers comply with all Company policies and procedures

• Annual review of the home working arrangements

**HR Responsibilities:**

• Ensure that the policy enables the business to operate successfully, and employees work effectively from home

• Ensure that employees work in safe environment through accessible information and risk assessments

**In order for the home to be recognised as a work base, the following criteria must be met:**

• The job is of a nature to enable this.

• Relevant equipment for the role is available to be used at home.

• Employees must satisfy the Company that they have suitable facilities at home to ensure security, an adequate internet connection to enable business connectivity, comply with any health and safety obligations and ensure that in working from home it does not encroach on the normal home environment.

• Employees must adhere to the Home Working Policy in full.

**Who is out of scope?**

• Employees during probationary period, or under notice (unless approved by exception).

• Employees who for training reasons are requested to attend on-site.

• Employees subject to disciplinary action (unless approved by exception).

• Employees whose role is not suitable to work from home.

There is no automatic right to work from home, as there may be circumstances where the Company may not be able to accommodate same. Home working may be withdrawn at any time from employees who abuse the arrangement. Such employees may also be subject to disciplinary action.

**Equipment & Facilities:**

• The Line Manager will agree with the homeworker the equipment that is necessary for them to carry out their work effectively. Depending on the nature of the role, this would normally include <<insert detail>>. Equipment will be supplied, maintained and repaired by the Company.

• Use of the homeworker’s own equipment, software or furniture is permissible provided they meet the safety and technical requirements. However, the Company will not be responsible for the maintenance costs, replacement, or repair in the event of loss or damage to any personal equipment that is used.

• The homeworker is responsible for taking reasonable care of any equipment issued; IT and telecommunications equipment should not be used by third parties. Equipment should be used in accordance with any operating procedures and in compliance with any Health and Safety Legislation (e.g. VDU workstations, electrical testing). Any loss or theft of equipment should be reported to the Company immediately.

• The equipment supplied is for business use only and will remain the property of the Company and should be returned to the employees Line Manager upon termination of homeworking or employment.

• Occasional home workers may in some situations use laptops. This should be discussed in advance with the Health and Safety Manager.

**Application Procedure:**

In line with the Hybrid Working Draft Bill 2022, COMPANY has 12 weeks once request received to reply to the Employee’s request. It is the employee's responsibility to make a request for hybrid working, unless the role already requires this, and the manager's responsibility to assess the request against the needs and requirements of the team and our business.

Employees are only entitled to make one application for hybrid working in any twelve-month period.

The steps to formally apply for Hybrid/Remote working are set out below.

**Step 1:**

The employee can formally request in writing to their Reporting Manager of their Formal Request to work either remotely or in a hybrid capacity. In order to assist with your Hybrid or Remote Working Request being facilitated it is recommended to apply no less than <<INSERT REASONABLE TIMEFRAME>> prior to when you would like the new arrangements to commence.

**Step 2:**

In line with Health & Safety guidelines and to ensure a safe working environment an Ergonomic Assessment will be conducted of the place or places of working. This may be a Home or Hub or new geographical environment.

A collaborative “Job Chat” with Management in order to ascertain expectations, equipment required on both sides of what this potential new working arrangement may look like. How best can this potential new working arrangement best be facilitated.

**Step 3:**

Once Step 1 and Step 2 have been completed the employee can make an informed decision to Formally Apply. COMPANY will endeavour to reply with a decision no more than 12 weeks after the initial request has been received.

COMPANY the employer, if refusing the request will set out the legitimate business reasons and objective grounds for refusal. The employee has the right to appeal decision no more than <<INSERT REASONABLE TIMEFRAME>>. Please appeal in writing, outlining your grounds for appeal to <<INSERT NAME/JOB TITLE>>.

The new working arrangement will be subject to a Trial Period of <<INSERT REASONABLE TIMEFRAME>>. A Review Meeting will be held once the Trial Period has been completed in order to ascertain the longevity of the arrangement and any revisions that may be required.

Where home working is agreed, we will ensure that we comply with our health and safety responsibilities. The company reserves the right to on occasion need to revisit the set up for genuine business reasons. If that occurs, we will give <<INSERT REASONABLE TIMEFRAME>> notice of same in relation to the agreed Hybrid Working arrangements.

**Communications**

The Company believes that regardless of where an employee works, it is the responsibility of both the Company and all our employees, including those working remotely, to ensure that the Company’s culture, employee social interaction and team cohesion is maintained.

When working remotely, employees must keep in regular contact with their managers to ensure that updates on the work being undertaken are discussed and agreed.

An employee with a hybrid working arrangement and who is unable to work on a day that they would normally work (for example due to sickness) is required to follow our absence notification procedure.

**Travel**

Employees who have a hybrid working arrangement must be able to travel where requested, if this is a requirement of the job, and to attend our offices for meetings or training as required.

**Right to Disconnect**

It is the manager’s responsibility to agree and monitor the working hours and patterns of any remote based employees. Employees working remotely are in a position of trust and are expected to work their full contractual hours; therefore, undertaking non-work-related activities during their working hours is not allowed.

COMPANY is committed to ensuring that all of our employee’s wellbeing and safety are a priority and does not expect anyone to routinely work outside their normal working hours.

The nature of our business means that we offer flexibility to our employees and expect the same in return. Legitimate reasons will arise when it is necessary for the Company or an employee to contact somebody outside of their normal working hours. Some examples of this are:

• to respond to a customer query

• as a result of differing work patterns

• to check availability for work

• to request for somebody to fill in at short notice

• in an emergency situation

• in unforeseeable circumstances

• other business or operational reasons

• if working across differing time zones

Please note we are awaiting the finalised Hybrid Working Policy Bill in late 2022 therefore this policy is subject to change on this basis (June 2022).

## Whistleblowing Policy

Whistleblowing occurs when a worker raises a concern or discloses information that relates to wrongdoing, illegal practices, or unethical conduct which has come to his/her attention through work.

Our whistleblowing policy is intended to encourage and enable workers to raise concerns within our work rather than overlooking a problem or “blowing the whistle” externally. Under this policy, a worker is entitled to raise concerns or disclose information without fear of penalisation or threat of less favourable treatment, discrimination, or disadvantage.

This organisation is committed to maintaining an open culture with the highest standards of honesty and accountability where our workers can report any concerns in confidence.

This policy applies to all of our workers including our employees at all levels. (References as appropriate to e.g. agency workers, trainees, apprentices, interns, etc.).

It is important to note that should you have a concern about your employment or personal circumstances in the workplace it should be dealt with by way of our Grievance Procedure. Likewise, concerns arising in regard to workplace relationships should generally be dealt with through our Dignity in the Workplace or perhaps Bullying and Harassment policy.

It is also important to note that this policy does not replace any legal reporting or disclosure requirements. Where statutory reporting requirements and procedures exist these must be complied with fully.

**Aims of the Policy**

• To encourage you to feel confident and safe in raising concerns and disclosing information;

• To provide avenues for you to raise concerns in confidence and receive feedback on any action taken;

• To ensure that you receive a response where possible to your concerns and information disclosed;

• To reassure you that you will be protected from penalisation or any threat of penalisation.

**What types of concerns can be raised?**

A concern or disclosure should relate to relevant wrongdoing such as possible fraud, crime, danger, or failure to comply with any legal obligation which has come to your attention in connection with your employment and about which you have a reasonable belief of wrongdoing.

**What types of concerns should not be raised under this Procedure?**

A personal concern, for example, a grievance around your contract of employment would not be regarded as a whistleblowing concern and would be more appropriately processed through our Grievance Procedure.

**Safeguards and Penalisation**

A worker who makes a disclosure and has a reasonable belief of wrongdoing will not be penalised by this organisation, even if the concerns or disclosure turn out to be unfounded.

Penalisation includes suspension/dismissal, disciplinary action, demotion, discrimination, threats, or other unfavourable treatment arising from raising a concern or making a disclosure based on reasonable belief for doing so. If you believe that you are being subjected to penalisation as a result of disclosing this procedure, you should inform your manager/senior manager immediately.

Workers who penalise or retaliate against those who have raised concerns under this policy will be subject to disciplinary action.

Workers are not expected to prove the truth of an allegation. However, they must have a reasonable belief that there are grounds for their concern. It should be noted that appropriate disciplinary action may be taken against any worker who is found to have raised a concern or raised a disclosure with malicious intent.

This organisation is committed to protecting the identity of the worker raising a concern and ensuring that relevant disclosures are treated in confidence. The focus will be on the wrongdoing rather than the person making the disclosure.

However, there are circumstances, as outlined in the Act, where confidentiality cannot be maintained particularly in a situation where the worker is participating in an investigation into the matter being disclosed. Should such a situation arise, we will make every effort to inform the worker that his/her identity may be disclosed.

A concern may be raised anonymously. However, on a practical level, it may be difficult to investigate such a concern. We would encourage workers to put their names to allegations, with our assurance of confidentiality where possible, to facilitate appropriate follow-up. This will make it easier for us to assess the disclosure and take appropriate action including an investigation if necessary.

Procedure for Raising a Concern - Who should you raise your concern with?

As a first step, appropriate concerns should be raised with your immediate manager or their superior. However should you not wish to use this route, for example, given the seriousness and sensitivity of the issues involved, you should approach senior management.

**How to raise a concern**

Concerns may be raised verbally or in writing. Should you raise a concern verbally we will keep a written record of our conversation and provide you with a copy after our meeting. Should you raise a concern in writing we would ask you to give the background and history of the concern, giving relevant details, insofar as is possible, such as dates, sequence of events, and description of circumstances.

The earlier you express the concern the easier it will be for us to deal with the matter quickly.

Having raised your concern with us, we will arrange a meeting to discuss the matter with you on a strictly confidential basis. We will need to clarify at this point if the concern is appropriate to this procedure or is a matter more appropriate to our other procedures, for example, our Grievance or Dignity in the Workplace or Bullying and Harassment procedures. You can choose whether or not you want to be accompanied by a colleague or a trade union representative. Regarding confidentiality, there must be an awareness of respecting sensitive company information, which, while unrelated to the disclosure, may be disclosed in the course of a consultation or investigation process.

**How we will deal with your disclosure**

Having met with you regarding your concern and clarified that the matter is appropriate to this procedure, we will carry out an initial assessment to examine what actions we need to take to deal with the matter. This may involve simply clarifying certain matters, clearing up misunderstandings or resolving the matter by agreed action without the need for an investigation.

If, on foot of the initial assessment, we conclude that there are grounds for concern that cannot be dealt with at this point, we will conduct an investigation which will be carried out fairly and objectively. The form and scope of the investigation will depend on the subject matter of the disclosure.

Disclosures may, in the light of the seriousness of the matters raised, be referred immediately to the appropriate authorities. Likewise if urgent action is required (for example to remove a health and safety hazard), this action will be taken.

It is important to us that you feel assured that a disclosure made by you under this policy is taken seriously and that you are kept informed of steps being taken by us in response your disclosure. In this regard we undertake to communicate with you as follows:

• We will acknowledge receipt of your disclosure and arrange to meet with you as outlined above;

• We will inform you of how we propose to investigate the matter and keep you informed of actions, where possible, in that regard including the outcome of any investigation, and, should it be the case, why no further investigation will take place. However it is important to note that sometimes the need for confidentiality and legal considerations may prevent us from giving you specific details of an investigation.

• We will inform you of the likely time scales in regard to each of the steps being taken but in any event we commit to dealing with the matter as quickly as practicable.

It is possible that in the course of an investigation you may be asked to clarify certain matters. To maximise confidentiality such a meeting can take place off site and you can choose whether or not to be accompanied by a colleague or trade union representative.

Where a concern is raised or a disclosure is made in accordance with this policy, but the allegation is subsequently not upheld by an investigation, no action will be taken against the worker making the disclosure and the worker will protected against any penalisation. It is important to note that if an unfounded allegation is found to have been with malicious intent, then disciplinary action may be taken.

The aim of this Policy is to provide an avenue within this workplace to deal with concerns or disclosures in regard to wrongdoing. We are confident that issues can be dealt with “in house” and we strongly encourage workers to report such concerns internally.

We acknowledge that there may be circumstances where an employee wants to make a disclosure externally, and the legislation governing disclosures — The Protected Disclosures Act 2014 — provides for a number of avenues in this regard.

It is important to note however that while you need only have a reasonable belief as to wrongdoing to make a disclosure internally, if you are considering an external disclosure, different and potentially more onerous obligations apply depending on to whom the disclosure is made.

**Communication, Monitoring and Review**

This policy will be communicated as appropriate and will be subject to regular monitoring and review in consultation with our workforce and their representatives.

# GRIEVANCE PROCEDURE

## Purpose

The purpose of the grievance procedure is to ensure that employees of the company have a fair forum in which to express any problems or concerns they may have and to have them resolved quickly and satisfactorily.

## Application

In order to achieve consistency and fair treatment across the organisation this procedure applies to all employees. In doing this:

• The company recognises that good communication and a willingness to cooperate will

help to resolve issues quickly and smoothly.

• The company encourages its employees to try in the first instance to resolve an issue through informal discussions with their immediate manager.

• The grievance procedure will normally be employed if these informal discussions have

not helped to resolve the situation.

• If the employee so wishes the formal procedure can be implemented at any time.

## Procedure

• Stage One

If the employee has a grievance arising from their employment, he/she should approach their immediate manager to discuss the issue. The manager will record details of the grievance and aim to respond within an appropriate amount of time agreed with the employee.

• Stage Two

If the employee feels that the issue has not been given fair and sufficient consideration, or if the grievance is with their immediate manager, the employee should contact the General Manager. This should be done in writing and the meeting should be held within seven working days.

The employee will be made aware that they have the option to have a colleague or representative present.

The grievance will be discussed and a response given in an appropriate amount of time agreed with the employee and a summary of this meeting will be recorded.

• Stage Three

If the response from senior management is inadequate in resolving the issue the employee should appeal their grievance in writing to the Managing Director. This meeting will be held as soon as possible.

The grievance will be discussed and a final decision made within an appropriate amount of time agreed with the employee. Again, a summary of this meeting will be recorded.

• Stage Four

Should the matter remain unresolved, it will be referred to the Workplace Relations Commission.

During the period in which the above procedure is being followed no strike, lock-out, walk- out, sit-in, go-slow, or any other form of industrial action designed to bring pressure to bear on either party will take place, until all avenues as prescribed have been followed by other parties and at least 14 days have elapsed following the issuing of the Workplace Relations Commissions outcome.

Any industrial action will require that two weeks’ written notice be given by either party. In the event of any issues arising which cannot immediately be disposed of and which are being processed in accordance with the above disputes procedure, normal working - under protest if necessary - will continue, pending a settlement.

At all stages in the grievance procedure the employee should be aware that they have the right to be accompanied by another member of staff.

Every attempt will be made to resolve the grievance issue speedily and appropriately.

The employee has a right to copies of meeting minutes taken at all stages of the procedure.

# DISCIPLINARY PROCEDURE

## Purpose

The disciplinary procedure of COMPANY is designed to help and encourage all employees to achieve and maintain high standards of conduct, job performance and capability.

The disciplinary procedure aims to help employees whose performance or conduct falls below company requirements to achieve the necessary improvement.

Formal procedures are vital to ensure consistent and fair disciplinary action at all times.

The company reserves the right to skips stages of this procedure depending on the seriousness of the allegation.

## Application

In order to achieve consistency and fair treatment, this procedure applies to all employees in the company who have successfully completed their probationary period.

In order to maintain the smooth and effective running of the company, there are certain areas where disciplinary action may be required. These include but are not limited to:

## Poor Work Performance/ Capability

o This relates to the employee’s ability and application to carry out the role they have been employed to do. Disciplinary action in this area will only be initiated once the employee is clear and understands what is expected of them.

## Misconduct

o This applies where it is alleged that there is some fault or blame on the part of the employee concerned through a breach of the company's standards of behaviour and rules and regulations. This can include persistent poor timekeeping, disruptive behaviour or any other act, which the company considers to be a breach of the standards of required discipline.

## Gross Misconduct

o This refers to gross breaches of misconduct, i.e. where it is alleged that an employee has deliberately broken company rules and regulations or standards of behaviour. This may include, bullying, sexual harassment, fraud, theft (the failure to return property removed in an unauthorised manner), or any other serious offence. Any breaches of serious offences could result in summary dismissal. Please refer to the list in the summary dismissal section.

## Absence

o This relates to the employee’s level of attendance. Where an employee’s attendance record has fallen acceptable standards the employee in question may be open to disciplinary action. The company will always attempt to identity probable causes for the absence and rectify them wherever possible. However, persistent absences can result in the disciplinary process being initiated. Please refer to the company absence policy for details on unacceptable levels of absence.

## Procedure

This disciplinary procedure allows for warnings to be given for failure to meet company standards of job performance, conduct and attendance. A breach of the employee's terms and conditions of employment may also prompt disciplinary action.

## Informal Discussion, Pre-Disciplinary

If an employee's performance, attendance or conduct falls below an unacceptable level, their immediate manager will informally make them aware that this is unacceptable, and advise on how to improve.

If the standard of work continues to deteriorate, or there is a breach of regulations, the formal disciplinary procedure begins. This counselling by his or her immediate manager will be recorded on that employee’s personnel record.

## Stage One – Formal Verbal Warning

o Should an employee’s performance, attendance or conduct fail to improve they will be invited to attend a disciplinary meeting where the matter will be fully investigated by the employee and their immediate manager

o If arising out of this meeting the employee’s breach of standards is deemed unacceptable they may be issued with a verbal warning which is the first stage of the company’s formal disciplinary procedure.

o The employee will be informed that the continuation of the breach is unacceptable and the manager will inform the employee how and to what extent the individual is falling short of expected standards, the time-scale for improvement and the consequences of failure to improve.

o This warning will remain active for disciplinary purposes for three months.

## Stage Two – First Written Warning

* If in the first instance the offence is more serious, or if there are no improvements arising from the formal verbal warning, the employee will be invited to attend a disciplinary meeting where the matter will be fully investigated by the employee and the relevant manager.
* If arising out of this meeting the employee’s breach of standards is deemed unacceptable they may be issued with a first written warning which is the second stage of the company’s formal disciplinary procedure.
* The employee will be informed of the extent to which they are falling short of the expected standards, the time-scale for improvement and the consequences of the failure to improve.
* This written warning will be active on the personnel file a period of six months, unless there is repetition within the agreed review period.
* If there is still no improvement in the situation, stage three will follow.

## Stage Three – Final Written Warning

* If the offence is very serious, or there is no improvement arising from the first written warning, the employee will be invited to attend a disciplinary meeting where the matter will be fully investigated by the employee and the Manager.
* If arising out of this meeting the employee’s breach of standards is deemed unacceptable they may be issued with a final written warning which is the third stage of the company’s formal disciplinary procedure.
* Again the employee will be informed of the extent to which they are falling short of the expected standards, the time-scale for improvement and the consequences of the failure to improve, which may result in dismissal.
* This written warning will be active on the employee's personnel file for a period of 12 months, unless there is repetition within the agreed review period.
* If there is still no improvement in the situation, there will be a progression to stage four.

## Stage Four – Dismissal Following a Series of Warnings

If warnings under the previous stages have proved ineffective, and there is sustained failure to improve standards, the employee may be:

* Given due notice of termination of employment
* Terminated with pay in lieu of notice
* Transferred to other duties, including demotion.

## Summary Dismissal

Any case of gross misconduct (as defined below) will normally lead to summary dismissal.

COMPANY may summarily dismiss an employee without recourse to the above procedure.

In cases where the company considers that summary dismissal is warranted, the company may suspend the employee with pay pending a full investigation of the matter.

If following an investigation of the matter the company is satisfied that gross misconduct has occurred, the employee will normally be summarily dismissed.

The following are examples of misconduct, which may be defined as gross misconduct leading to summary dismissal. (These areas however, are not exclusive and instances of a similar nature will also be dealt with in the same way):

• Theft (the failure to return property removed in an unauthorised manner).

• Fraud or deliberate falsification of records.

• Violence, threats of violence, intimidation or fighting

• Sexual, racial or other harassment.

• Unauthorised use or disclosure of confidential information

• Attending work under the influence of alcohol or non-medically prescribed drugs.

• Any action that may bring COMPANY into disrepute.

• Serious acts of insubordination

• Any criminal offence that may adversely affect the interest of the company or its employees.

## Employee’s Rights

At each stage of the disciplinary procedure, employees have the right to:

• Be informed of the complaint against them and be given sufficient opportunity to present their case and call witnesses to support their case, as appropriate.

• Be accompanied to disciplinary meetings by a colleague to record the proceedings on their behalf.

• Be provided, where necessary, with training and support to enable him/her attain the required standards of performance.

• Be normally not dismissed for a first offence, other than gross misconduct.

• Be informed and encouraged to use the right of appeal. (From receipt of a warning at any stage of the procedure, an employee will have the right to appeal the warning to a more senior level of management where appropriate, within seven working days.)

# LEAVE ENTITLEMENTS

## Annual Leave

The holiday year usually runs from January to December. All holiday entitlements for that period must usually be taken within that period. Unused days may be carried over, at the discretion of management, and should be used within the first 3 months.

The annual leave entitlement for full time staff is 8% of the hours worked in the leave year, up to a maximum of 20 days in accordance with the Organisation of Working Time Act, 1997. All part time staff will receive their holiday entitlement on a pro rata basis.

For employees who commence employment during the holiday year, their entitlement will be calculated on a pro rata basis against the number of months they have worked.

Where a member of staff's holiday coincides with a statutory holiday, then he/she is entitled to take an additional day's leave by arrangement with their immediate manager.

Holiday request forms are available in the office and must be completed and submitted in advance to your immediate manager, at least (4) weeks in advance.

The final decision in the allocation of annual leave rests with management. Leave that is taken without approval will be treated as unauthorised and dealt with accordingly through the company’s disciplinary procedures.

With effect from July 2015, annual leave may be accrued during periods of absence due to illness and may be taken up to 15 months after the leave year in which the absence occurred.

## Public Holidays

Staff are also entitled to ten public holidays in accordance with the Organisation of Working Time Act, 1997, and any other day decreed by the Taoiseach as a national holiday:

• New Year’s Day (January 1)

• February Public Holiday (First Monday in February, or 1st February if this falls on a Friday).

• St Patrick's Day (March 17)

• Easter Monday

• First Monday in May

• First Monday in June

• First Monday in August

• Last Monday in October

• Christmas Day (December 25)

• St Stephen's Day (December 26)

In respect of each public holiday, an employee (at the employer’s discretion) is entitled to compensation for public holidays in one of the following ways:

• A paid day off on the holiday, or

• A paid day off within the month, or

• An extra day's annual leave, or

• An extra day's pay.

Part time employees are entitled to certain public holidays entitlements provided that they work at least 40 hours during the five weeks coming up to the public holidays, ending on the day before the public holiday. Specific details of this can be obtained from your immediate manager.

## Maternity Leave

**Purpose & Aims**

The purpose of the Maternity Policy is to provide time off for employees, who are pregnant, have recently given birth or who are breastfeeding up to the 104th week after the birth of the child.

The policy also provides time off for male employees in the event of the death of the mother during, or shortly after the birth.

**Details**

Employees are entitled to 26 consecutive week’s maternity leave plus the option to avail of an additional 16 weeks maternity leave.

The maternity leave must commence at least two weeks prior to the due date and at least four weeks after the birth of the child.

An employee may be entitled to a social welfare payment. No benefit will be paid during the 16 weeks additional maternity leave.

Upon confirmation that an employee is pregnant, confirmation in the form of a note from your General Practitioner should be sent to **POSITION** as soon as is possible.

An employee must give written notification of their intention to take maternity leave at least four weeks prior to the commencement date along with an accompanying medical certificate confirming the pregnancy and the date of confinement.

An employee must also give four weeks’ notice of their intention to take additional maternity leave and their return to work date.

**Policy Outline**

* Employees must notify **POSITION** by completing and submitting the attached application form, of their intention to take maternity leave no less than 4 weeks before the maternity leave begins.
* A medical certificate must be submitted confirming the pregnancy and giving the expected date of confinement.
* The employee will receive 26 weeks maternity leave
* At least 2 weeks leave must be taken before the expected birth of the baby and no less than 4 weeks after the birth of the baby.
* No more than 24 weeks can be taken after the birth of the baby. Within these parameters, the employee can choose how to divide their maternity leave before and after the birth of the baby.
* In the case of a premature birth, an employee’s 26 weeks maternity leave begins immediately and dates from the day of the birth.
* An additional 16 weeks maternity leave may be taken in addition to the 26 weeks, should the employee require it, there is no Company or State payment for this leave.
* If the employee wishes to take additional maternity leave, they must notify **POSITION** in writing of this intention, no later than 4 weeks before the date they are due to return to work.

**Ante Natal and Post Natal Care**

* An employee is entitled to time off work without loss of pay to attend one set of ante-natal classes
* An expectant father is entitled once only to time off from work without loss of pay to attend the last two ante-natal classes before the birth.
* Employees must give two weeks’ notice of appointments, except in emergency cases.
* Employees should make appointments that will cause minimal disruption to their work schedule.

Employees are required to return to work when their appointment finishes during their scheduled hours.

* A medical certificate or appointment card must be submitted to the **POSITION** prior to or upon return from the class or appointment.

**Protection of Employment Rights**

* All employees’ rights are protected while on maternity leave.
* Though the employee will not be working, public holidays, annual leave and sick leave will continue to accumulate during all paid leave.
* Force majeure, parental or adoptive leave is not considered to be part of maternity leave.
* Maternity leave is included as continuous and reckonable service.

**Applying for Maternity Leave**

* Requests for maternity leave must be submitted to the **POSITION** no less than 4 weeks before the maternity leave is expected to begin.
* A medical certificate must be submitted confirming the pregnancy and giving the expected date of the confinement.

**Breastfeeding**

Uponreturn to work, employees who are breastfeeding are entitled to, a paid break of one hour, (where suitable facilities are available) or a reduction of working hours, without a loss of pay, for up to two years (104 weeks) after giving birth, to facilitate breastfeeding. The one hour break may be split into shorter periods of time totalling one hour. This time may be taken as:

* One 60-minute break
* Two 30-minute breaks
* Three 20-minute breaks

Part-time employees will be entitled to a pro rata benefit.

If the employee wishes to continue to breastfeed on returning to work, they must notify **POSITION** in writing of this intention, no later than 4 weeks before the date they are due to return to work.

**Returning to Work**

* Employees must notify Human Resources in writing of their intention to return to work no later than 4 weeks before their intended return.
* When maternity leave ends, employees will return to their usual job so far, as is reasonably practical, if this is not possible, they will be offered suitable alternative work, with the terms and conditions not substantially less favourable than those they had in their original job.

**Abuse of this Policy**

Any abuse in the application of this policy will be dealt with in accordance with the Company’s Disciplinary Policy and Procedure and may result in disciplinary action being taken, up to and including dismissal if proven to have occurred.

## Paternity Leave

The Paternity Leave and Benefit Act 2016 allows a relevant parent to take 2 weeks Paternity Leave upon the birth of their Child. A Relevant Parent is defined by the Act as the Father of the Child, or the Spouse, Civil Partner or Co-habitant of the Mother or the Adopting Parent.

The Leave must be taken within 26 weeks of the birth of the child, or in the case of adoption, within 26 weeks of the placement date. The leave cannot commence before the date of birth or placement. Except in exceptional circumstances, the leave must be taken in a 2 week consecutive block.

Employees must give a minimum of 4 weeks’ notice of their intention to take Paternity Leave. An exception may be made in the event of a premature birth. Notice should be provided in writing and a medical certificate confirming the expected date of birth, or a certificate confirming the date of placement should also be provided.

In the event of a multiple birth, or more than one child being adopted at any one time, the relevant parent will be entitled to one period of Paternity Leave only (i.e. 2 weeks).

COMPANY does not provide pay during Paternity Leave. During Paternity Leave employees may be entitled to receive a Paternity Benefit from the Department of Social Protection. Applications for Paternity Benefit may be made online at www.welfare.ie. Applications should be made 4 weeks prior to the commencement of the Paternity Leave. Employees must be in possession of a Public Services Card in order to apply. Employees who do not have a card should apply for one online at www.mywelfare.ie.

## Parental Leave

The Parental Leave Act 1998, as amended by the Parental Leave (Amendment) Act 2006 and the Parental Leave (Amendment) Act, 2019, allows parents to take parental leave from employment in respect of certain children. A person acting in loco parentis with respect to an eligible child is also eligible.

Any natural or adoptive parent that is a full time employee is entitled to 26 weeks unpaid leave to facilitate him/her to take care of his/her child. Parental Leave may be taken as a continuous block of 26 weeks by agreement with his/her immediate manager, or can be taken in 2 separate blocks of a minimum of 6 weeks each.

Parental leave must be taken before the child reaches 12 years of age or 16 years of age in the case of a child with a disability. Employees must have one year’s continuous service to avail of the full entitlement.

An employee must give written notice to their immediate manager of their intention to take parental leave no later than 6 weeks before the proposed commencement of the leave.

Parents of twins or triplets can take more than 26 weeks of parental leave in a year.

Both parents have an equal separate entitlement to parental leave. Unless you and your partner work for the same employer, you can only claim your own parental leave entitlement (26 weeks per child). If you both work for the same employer and your employer agrees you may transfer 14 weeks of your parental leave entitlement to each other.

If the parent becomes ill while on parental leave and is unable to care for the child the leave can be suspended for the duration of the illness. In order to suspend the parental leave the employee must give written notice and relevant evidence of the illness to the employer as soon as is reasonably practicable. The parental leave resumes after the illness. During the illness the parent is treated as an employee who is sick.

## Parents Leave

Under the Parents Leave and Benefit Act 2019, as amended by the Family Leave and Miscellaneous Provisions Act 2021 a “relevant parent” is entitled to avail of 7 weeks Parent’s Leave for children born or adopted after 1 July 2022 within the first two years of a child’s life, or in the case of adoption within two years of the placement of the child with the family.

Employees must give a minimum of 6 weeks’ notice of their intention to take Parents Leave. Notice must be provided in writing. The leave can be taken in one continuous 7 week block, or in separate blocks of not less than one week.

Both parents have an equal separate entitlement to Parent’s Leave. In the event of a multiple birth, or more than one child being adopted at any one time, the each parent will be entitled to one period of Parents Leave only (i.e. 7 weeks).

COMPANY does not provide pay during Parents Leave. During Parents Leave employees may be entitled to receive a Parents Leave Benefit from the Department of Social Protection. Applications for Parents Benefit may be made direct to the Department of Social Protection. Applications should be made at least 4 weeks prior to the commencement of the Parents Leave.

## Adoptive Leave

Under the Adoptive Leave Act, 1995, as amended by the Adoptive Leave Act, 2005 and the Family Leave and Miscellaneous Provisions Act 2021, either parent is entitled to avail of 24 weeks ordinary adoptive leave, plus an additional 16 weeks additional unpaid adoptive leave from employment.

The employee must notify their immediate manager of his/her intention to take adoptive leave no later than four weeks prior to the expected date of placement.

Employees on adoptive leave are entitled to payment from the Department of Social Protection for up to 24 weeks. Application forms for this benefit area are available from the Department of Social Protection.

Employees are entitled to paid time off work to attend preparation classes and pre-adoption meetings with social workers required during the pre-adoption process.

Employees are entitled to leave for any public holidays that occur during your adoptive leave (including additional adoptive leave). The right of employees to leave for public holidays is set down in Section 21 of the Organisation of Working Time Act, 1997. Time spent on adoptive leave (including additional adoptive leave) is treated as though they have been in employment, and this time can be used to accumulate annual leave and public holiday entitlement.

Under the adoptive leave legislation all employment rights (except remuneration and superannuation benefits) associated with the employment, such as annual leave and seniority, are protected during adoptive leave and additional adoptive leave.

Since January 30, 2006 if the adopted child is hospitalised, the period of leave or additional leave may be postponed, provided that the employer agrees.

The employee has the same rights to return to work as with maternity leave, and must also give 4 weeks' notice of the intention to return. They are entitled to return to the job they had immediately before the leave, unless this is not reasonably practicable for the employer. Where this is the case, then the employer must offer the employee a suitable and appropriate alternative. The terms and conditions of the alternative and the capacity under which they are to be employed, must not be less favourable than their job before going on leave.

## Force Majeure Leave

Force Majeure leave is provided for under the Parental Leave Act, 1998 and 2019. The Act entitles an employee to paid time off, where for urgent family reasons, owing to the injury or illness of an immediate family member, the immediate presence of an employee at the place where the person is, is indispensable. Absence for part of a day is counted as one day of force majeure leave.

In accordance with the Act, the employee is entitled to 3 days in any 12-month period or 5 days in any period of 36-months.

The immediate family members covered by this policy include:

• A child/adoptive child of the employee,

• A spouse or person with whom an employee is living as husband and wife,

• A person to whom the employee is in loco parentis,

• A brother or sister of the employee,

• A parent or grandparent of the employee.

• A person who resides with the employee in a relationship of domestic

dependency.

By definition, prior notice does not arise in the case of force majeure leave. However, an employee who has availed of the entitlement must as soon as is reasonably practicable thereafter, give written notice to the Company by completing the Force Majeure Leave Form stating that he/she has taken such leave and the date on which it was taken. The employee must also include a statement of the facts entitling them to the leave.

## Carers’ Leave

Under the Carer's Leave Act, 2001, there is an entitlement for an employee to avail of temporary unpaid leave from his/her employment to enable him/her to personally provide full time care for a person who is in need of such care. To avail of Carer's leave the employee must have completed at least 12 months continuous service with the company.

The employee must intend to provide full time care for the relevant person for the duration of the leave and the relevant person will be deemed to be in need of full time care by a deciding officer of the Department of Social Protection.

The leave entitlement may be one continuous period of 104 weeks, which is the maximum duration of the care, or this may be broken up into one or more periods not exceeding 104 weeks. If the leave is broken up, there must be a break of 6 weeks before the employee can commence another period of leave for that relevant person.

If an employee wishes to take carers leave for a second relevant person, there must be a 6- month break since the termination of the leave for the first relevant person, before the leave for the second relevant person could commence.

The minimum statutory entitlement to be taken in one period is 13 weeks. And the company reserves the right to refuse on reasonable grounds to permit the employee to take Carer's leave for any period of less than 13 weeks.

## Compassionate Leave (Discretionary)

Special leave (up to 3 days) may be granted on the death of an immediate relative (partner, parent, sibling, parent in law). This may be increased to 5 days at management’s discretion.

In exceptional circumstances, compassionate leave may be granted on the death of a more distant relative where the employee has to take charge of funeral arrangements or has lived in the same house as the deceased.

## Jury Service Leave

An employee who is called for jury duty is entitled to time off with pay for the required length of time.

If the employee is not required in court the employee is expected to return for work on these days his/her service is not required for duty.

## Unpaid Leave for Medical Purposes Policy

 **Purpose & Aims**

The purpose of this policy is to uphold our employer obligation of facilitating Unpaid Leave for Medical Purposes as per the Worklife Balance & Miscellaneous Act 2023. The Act contains an entitlement for employees to up to 5 days unpaid leave (in any period of 12 consecutive months) for serious medical care purposes, to provide personal care or support to certain specified persons, including: a child, spouse/civil partner, cohabitant, parent or grandparent, brother or sister or a person who resides in the same household as the employee, where any of those persons is in need of significant care or support for a serious medical reason.

**Who can apply for this Leave**

Employees can apply for the leave to care or support your:

* Child (including an adopted child)
* Spouse or civil partner
* Cohabitant
* Parent or grandparent
* Brother or sister
* Housemate (any other person to those listed above who lives in the same house as you)

The person must need significant care or support for a serious medical reason.

Employees do not need any minimum service with your employer to take this leave.

**Applying for Unpaid Leave for Medical Purpose**

* An employee who has taken or intends to take leave for medical care purposes must as soon as reasonably practicable provide a signed confirmation of this to their Line Manager.
* This confirmation must specify the date and duration of such leave and a statement of the facts entitling the employee to the leave. (Below Request Form is sufficient).
* On receipt of such confirmation, can request that the employee provide further information in relation to the employee’s relationship with the person who required care, the nature of the care required and relevant evidence relating to the need for significant care.
* Authorisation of the Leave will be communicated within 5 working days.
* Notice is not required in Emergency circumstances. However, if possible notice should be provided in order for business needs to be met.

**Protection of Employment Rights**

The employee will be treated as if they are in work during leave for medical care. This means:

* You are entitled to return to work in the job you held immediately before you started the leave
* You don’t count your time on leave as breaking your continuous service
* You must not be dismissed for taking or asking to take the leave
* You must not be victimised for taking or asking to take leave for medical care.

**Abuse of this Policy**

Any abuse in the application of this policy will be dealt with in accordance with the Company’s Disciplinary Policy and Procedure and may result in disciplinary action being taken, up to and including dismissal if proven to have occurred.

# EQUALITY STATEMENT

## Purpose

The purpose of this policy is to demonstrate the company’s commitment to equality of opportunity for existing and potential employees, by promoting a work environment that affirms our commitment to the personal dignity and worth of each employee.

We do this by promoting a work environment that is free from discrimination in the following areas: gender, marital status, family status, sexual orientation, religious belief, age, disability, race, membership of the travelling community.

## Application

This policy applies to all present and potential employees of COMPANY.

## Policy

The company is committed to equal opportunity of all employees and all potential employees of COMPANY. As such all employment decisions will be based on qualifications, merit and ability.

Any decision in relation to employment will not be influenced by any of the aforementioned areas outlined within the purpose of this policy. This policy applies to all areas of the organisation.

At COMPANY, recruitment decisions will not be influenced by any of the above areas of discrimination. We will ensure that discrimination on these grounds will neither occur directly or indirectly. To reiterate the purpose of the policy, all recruiting decisions will be based on merit, abilities and qualifications. This policy applies to training, conditions of pay, promotion and every other aspect of employment.

## Responsibility

Every employee of COMPANY has a personal responsibility for the implementation of this policy. This includes treating peers and managers with dignity and respect.

Employees also have a responsibility to draw the attention of management to discriminatory practices or areas where they believe individuals have been treated unfairly under the above aforementioned grounds. It is the responsibility of all managers to support and communicate this policy.

To reiterate the communications policy of the company, we encourage all managers to provide forums for employees to have open discussions in order to identify and resolve issues.

## Procedure

Any employee who feels they have been treated unfairly in any employment related decision, such as promotion, training, conditions of employment or any other area should follow the company grievance procedure outlined in this document.

All cases of discriminatory allegations will be promptly investigated. Any individual found partaking in any form of discrimination shall be subject to disciplinary action up to and including dismissal, as per the company’s disciplinary procedure outlined in section four.

# DIGNITY AT WORK

## Purpose

COMPANY is committed to providing a working environment free from bullying, harassment and sexual harassment and ensuring all staff are treated, and treat others, with dignity and respect at all times. All employees are expected to comply fully with this policy and management will take appropriate measures to ensure that bullying/harassment does not occur. Complaints by employees will be treated with sensitivity and fairness in as confidential a manner as possible. Employees who make a complaint in good faith or who participate in any investigation process etc. will not be victimised. Those who make false allegations of bullying, harassment and/or sexual harassment may be subject to disciplinary action up to and including dismissal.

The policy applies to bullying/harassment and sexual harassment not only by fellow employees but also by consultants, clients, customers, contractors and other business contacts at the workplace, outside of the workplace during the course of employment (for example on business trips, at conferences, work-related events or social functions) and to different treatment of an employee because he/she rejected or accepted the bullying, harassment or sexual harassment.

## Workplace Bullying

Workplace Bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical

or otherwise, conducted by one or more persons against another or others, at the place of work

and/or in the course of employment, which could be reasonably regarded as undermining the

individual's right to dignity at work. An isolated incident of the behaviour described in this definition

may be an affront to dignity at work, but, as a once off incident, is not considered to be bullying.

Bullying is an on-going series of an accumulation of seriously negative targeted behaviours against a

person or persons to undermine their esteem and standing in a harmful, sustained way.

COMPANY takes all complaints of bullying seriously and we commit to follow through to resolution.

Bullying can include conduct offensive to a reasonable person, e.g. oral or written slurs, physical contact, gestures, jokes, displaying pictures, flags/emblems, graffiti or other material which state/imply prejudicial attitudes which are offensive to fellow employees. Some examples of bullying are set out below.

* + Verbal abuse/insults
	+ Exclusion with negative consequences
	+ Being treated less favourably than colleagues in similar roles
	+ Belittling a person’s opinion
	+ Disseminating malicious rumours, gossip or innuendo
	+ Socially excluding or isolating a person within the work sphere
	+ Intrusion – pestering, spying or stalking
	+ Intimidation/aggressive interactions
	+ Excessive monitoring of work
	+ Withholding information necessary for proper performance of a person’s job
	+ Repeatedly manipulating a person’s job content and targets
	+ Blaming a person for things beyond their control
	+ Use of aggressive and obscene language
	+ Other menacing behaviour

The examples stated in this policy are not an exhaustive list and [COMPANY ] reserves the right to take action against these and other inappropriate behaviours.

The below are examples of what is **not** considered Bullying

* Expressing differences of opinion;
	+ - Offering constructive feedback, advise or guidance about work related behaviour which is not of itself welcome;
		- Ordinary performance management;
		- Workplace conflict where people disagree or disregard the others’ point of view.
		- Reasonable corrective action taken by an employer or supervisor relating to the management and direction of employees (for example managing an employee’s performance, taking reasonable disciplinary actions, or assigning work).

The examples stated in this policy are not an exhaustive list and [COMPANY ] reserves the right to take action against these and other inappropriate behaviours.

## Cyberbullying

Any references to bullying throughout this company policy will also include cyberbullying. Cyberbullying or Cyber- harassment is a form of bullying or harassment using electronic means, such as computers, mobile phones etc. Cyberbullying can occur through SMS, Text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else causing embarrassment or humiliation. Cyberbullying will be treated with the same seriousness as any other form of bullying and will be dealt with in accordance with this policy. Some cyberbullying crosses the line into unlawful or criminal behaviour.

The most common places where cyberbullying occurs are:

* Social Media, such as Facebook, Instagram, Twitter and Tik Tok
* Text messaging and messaging apps on computer devices
* Instant messaging, direct messaging, and online chatting
* Online forums, chat rooms, and message boards
* Email
* Online gaming communities

The examples stated in this policy are not an exhaustive list and [COMPANY ] reserves the right to take action against these and other inappropriate behaviours.

Employees will be trained in [COMPANY ]’s [IT security policy /insert relevant policy name here]. Employees should keep all passwords and pin numbers private and ensure to log out of all online accounts and devices when unattended. As well as being in compliance with the company’s [insert relevant policy name here], this will protect an employee against any unwanted or unauthorized activity on their online accounts and/or profiles.

## Harassment

Harassment on the grounds of gender, civil status, family status, sexual orientation, religious belief, age, disability, race, or membership of the traveller community is defined as any unwanted conduct that has the purpose or effect of violating a person’s dignity at work and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. The unwanted conduct may consist of acts, requests, spoken words, gestures, or the production, display or circulation of written words, pictures or other material. A single incident may constitute harassment.

Unwanted behaviour based on one of the discriminatory ground, even if the person does not have that relevant characteristic, may also be considered harassment e.g. if the perpetrator believes that the employee has the characteristic.  The intention of the alleged harasser is irrelevant – under this policy it is the effect of the behaviour on the recipient which is significant.

Examples of Harassment are set out below:

* Verbal harassment - jokes, comments, ridicule or songs;
* Written harassment - including graffiti, text messages,
* emails, social media or internet posts;
* Physical harassment - jostling, shoving or any form of assault;
* Intimidatory harassment - gestures, posturing or threatening poses;
* Visual displays such as posters, emblems or badges;
* Excessive monitoring of work;
* Isolation or exclusion from social activities; and
* Unreasonably changing a person’s job content or targets.

The examples stated in this policy are not an exhaustive list and [COMPANY ] reserves the right to take action against these and other inappropriate behaviours.

## Sexual harassment

Sexual Harassment is any form of verbal, non-verbal or physical conduct of a sexual nature that has the purpose or effect of violating a person’s dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. This includes same-sex sexual harassment. The unwanted conduct may consist of acts, requests, spoken words, gestures, or the production, display or circulation of written words, pictures or other material.

Examples of Sexual Harassment are set out below:

* sexual gestures;
* displaying sexually suggestive objectives, pictures, calendars;
* sending suggestive and pornographic correspondence, including e-mails or text messages;
* unwelcome sexual comments and jokes;
* unwelcome physical conduct, such as pinching, unnecessary touching, etc.

The examples stated in this policy are not an exhaustive list and [COMPANY] reserves the right to take action against these and other inappropriate behaviours.

COMPANY has designated a ‘champion’ (or more than one whom must be at senior level who is outside the HR structure) INSERT NAME who will be the independent voice advocating for a diverse workplace culture free of harassment where all employees feel respected (The person selected must be trained to carry out this role effectively)

## Responsibilities

This section outlines the responsibilities of all potential parties involved in this process.

**Complainant**

If an employee raises a complaint under the complaint's procedure outlined below they will be referred to as the complainant.

**Respondent**

If an employee raises a complaint under the complaint's procedure outlined below the individual regarding whom the allegation is made will be referred to as the respondent.

**Employees**

All employees have a role in encouraging a positive organisational culture that that does not tolerate any form of bullying and harassment. All employees have a responsibility to behave with dignity and respect towards one another in the workplace. This applies both in individual interactions and interactions in a group with other employees, contractors, customers, clients and anyone in the workplace.

**Line Managers**

Managers, also play a pivotal role in creating a workplace culture that is free from any form of bullying and harassment. Managers must promote awareness of [COMPANY ]’s policies and procedures. Should any matter of bullying, sexual harassment or harassment be brought to a manager’s attention, managers will ensure that it is dealt with in a sensitive manner and follow the company policy thoroughly. Managers will explain the procedure that will be followed if a complaint of Bullying is made.

**Human Resource**

Ensure that prompt and appropriate action is taken when discrimination, bullying or harassment complaints are raised. Coordinate and facilitate the provision of adequate and appropriate instruction and training on the implementation of this policy. Ensure that employees involved in a complaint are fully supported before, during and after the investigation

**Contact Person**

The Contact Person who has been nominated in [COMPANY ] is [name]. The Contact Person will be the first point of contact for any employee engaging the policy. The contact person will provide a supportive role, listening and offering guidance and information in line with the organisation’s policy on a strictly confidential basis. The Contact Person will be fully trained and will not have a role or any involvement in the investigation of any complaints.

## Complaints Procedure

If a complaint has been raised, employees should follow the steps as detailed below.

## Informal Procedure

It is preferable for all concerned that complaints of discrimination, bullying or harassment are dealt with informally where appropriate. It is an informal mechanism that is designed to be flexible in order to allow for minor complaints to be quickly dealt with. Therefore, initially, employees should try to address an allegation of bullying, harassment or sexual harassment as informally as possible by following this initial informal procedure (where it is appropriate). This stage is suitable for minor complaints, such as in scenarios where it is likely the respondent is not even aware of that their behaviour is negatively impacting others.

Ideally, this initial informal response would effectively address the unwanted behaviour without any recourse to any other action. The below outlines the steps that can be taken in this instance:

* The complainant who believes that he or she is being bullied, sexually harassed or harassed should explain clearly to the respondent that the behaviour in question is unacceptable.
* If it is more suitable, the complainant should put their concerns in writing.
* If the complainant finds it difficult to approach the alleged perpetrator directly then a person should seek help and advice from a Supervisor/Manager, whose role is not to judge but rather to provide advice and assistance about what the Company’s policy says. In this situation the approach of the Manager/ Supervisor should be by way of a confidential, non-confrontational discussion with a view to resolving the issue in an informal low-key manner.
* The complainant may wish to avail of the Contact Person for confidential support or information at this point.
* A brief written record, in line with GDPR, should be kept of the matter and agreed outcomes and dates noted by the relevant person responsible for managing the complaint.

A complainant may decide, for whatever reason, to bypass the informal procedure. Choosing not to use the informal procedure will not reflect negatively on a complainant in the formal procedure. The Company recognises that it may not always be practical to use the informal procedure particularly where the discrimination, bullying or harassment is serious or where the people involved are at different levels in the organisation.

Depending on the nature of the complaint, the Company reserves the right to investigate the matter and, if appropriate, take disciplinary action.

## Mediation

Mediation should be consideration for resolving issues at this stage of the process. It is an informal voluntary process where a suitably qualified mediator will try to enable employees to work through conflict or disagreement, with a view to improving their relationship. This is a valuable tool and will be offered and considered at any stage in a procedure.

## Secondary Informal Procedure

This process is still informal and may be used if the above procedure is ineffective or unsuitable for the seriousness of the issue. This process is more protracted than the initial informal procedure.

The Nominated Person with the appropriate training will be assigned to handle the complaint. (The Nominated Person should not be the Contact Person)

* The complainant should submit a written complaint, but where this does not occur, the Nominated Person will write up the complaint and provide the complainant with a copy.
* The Nominated Person will then try to establish the facts of the complaint prior to deciding on the next steps. It is vital that the complainant provide concrete examples of inappropriate behaviour to ensure the company can progress the matter.
* When the Nominated Person has determined the detail and facts of the case and if they believe at this point the respondent has a case to answer, they will address the allegations with the respondent and allow them the chance to respond. The Nominated Person should arrange a meeting with the respondent and take notes of the responses.
* The next step would be to agree to progress the matter to resolution so that both parties can return to a harmonious working environment.
* If the findings confirm that there has been inappropriate behaviour, actions should be put in place to ensure this behaviour stops immediately stop the behaviour. This will also be monitored going forward to prevent a reoccurrence.
* The Nominated Person will keep record of all stages and ensure these are kept in line with GDPR.

A complainant may choose to bypass the secondary informal procedures. Choosing not to use the informal procedures will not reflect negativity on a complainant in the formal procedure.

Under this policy, on an initial examination under the Formal Procedure, management may direct that an attempt be made to resolve the matter under one of the above Informal Procedure.

## Formal Procedure

If an informal approach is inappropriate or if after the informal procedures, the conduct complained of persists, after already informing the respondent, the following formal procedures should be invoked:

The complainant should make a formal complaint in writing to his/her immediate manager, or if preferred, a member of the HR Team that should be signed and dated. Where this is not possible, a written record should be taken of the complaint by the assigned person and signed by the complainant and dated. The complaint should be confined to precise details of alleged incidents of bullying, including their dates, and names of witnesses, where possible. The manager must immediately inform the HR team/CEO.

An initial meeting will be organised with the complainant and conducted by a designated impartial member of management, with a view to determine the next steps to follow. Should an informal approach be deemed inappropriate or inconclusive at this stage, a formal investigation of the complaint will take place with a view to determining the facts and the credibility or otherwise of the allegation(s) and, in appropriate cases, the referral of the matter for further consideration in the context of a disciplinary hearing.

In the interests of natural justice, the respondent will be advised of the complaint made against them. They will be provided with a copy of the complaint. An outline of the aims and objectives of the formal process, the procedures and approximate ideal timeframe involved will be provided to the respondent, and the possible outcomes explained. Both parties will be assured of support as required throughout the process and the respondent will be advised that they will be afforded a fair opportunity to respond to the allegation(s).

Whilst it is desirable to maintain utmost confidentiality, once an investigation of an issue begins, it may be necessary to interview other employees. If this is so, the importance of confidentiality will be stressed to them. Any statements taken from witnesses will be circulated to the complainant and the alleged perpetrator for their comments before any conclusion is reached in the investigation.

Every effort will be made to carry out and complete the investigation as quickly as possible and preferably within an agreed timeframe. On completion of the investigation, the investigator(s) will submit a written report to management containing the findings of the investigation.

**Both the complainant and respondent will be informed in writing of the following:**

* What the formal procedure entails
* Proposed timescale for the completion of the investigation
* That both parties have the right to be accompanied and/or supported, by a representative (colleague or trade union representative).

That the complaint will be in writing and that the respondent will be given details in writing of the nature of the complaint including written statements and any other documentation or evidence including interview notes or records of meetings held with the witnesses. That the respondent will be given time to consider the documentation and an opportunity to respond to such documents.

The investigator(s) will meet with the complainant and respondent(s) and any witnesses or relevant persons on an individual confidential basis with a view to establishing the facts surrounding the allegations(s). Both the complainant and respondent(s) may be accompanied (by work colleague or trade union representative), where appropriate.

That a written record will be kept of all meetings and investigations.

That the investigation will consider all material and evidence before it and a decision will be made on balance of probability, as to whether the complaint is valid. Both parties will be given the opportunity to comment on the findings before any action is decided upon by management.

The investigator will provide a written report to both parties outlining the findings and decision.

If the investigator concludes that the accused employee has a case to answer, on the balance of probability, then the investigator may recommend whether or not the employer should invoke the Disciplinary process. Otherwise, the investigator may find that other actions such as counselling, mediation or training would be suitable.

## Appeal

If either the complainant or respondent are not satisfied with the outcome of an investigation, they may appeal the decision in writing outlining the full grounds for the appeal to [insert position] within [Timeframe] of the date on which the decision was sent or provided to them. The appeal will be dealt with impartially by a [Insert name - this should be heard by another party, of at least the same level of seniority as, but preferably more senior than, the original investigator] who has not previously been involved in the investigation. Any appeal will focus on the conduct of the investigation in terms of fair process and adherence to procedure. The appeal is not a re-hearing of the original issues.

(Very small organisations will need to consider at the outset of the formal process how they would manage a request for appeal and how this may require outside independent support.)

## Victimisation

Employees will not be penalised, victimised, treated less favourably or subject to other adverse treatment because of pursuing a complaint under this policy.

## Malicious Complaints

A malicious complaint can be described as an allegation being made without foundation, and with malicious intent, where a person knowingly or without regard to whether it is true or not, accuses another person of allegedly bullying them. This could also apply to where one person maliciously complains of someone allegedly bullying a third party, without fully exploring the veracity of the claim.

If a complaint is found to be malicious, then appropriate disciplinary action up to and including dismissal may be imposed, after due process.

 **End Note for Business Owners/Managers**

This policy should include a commitment to effective communication of the policy. It should be communicated effectively to all those potentially affected by it, including management, employees, customers, clients and other business contacts, such as those who supply and receive goods and services. Effective means of communicating a policy could include newsletters, training manuals, training courses, leaflets, websites, emails, toolbox talks and notice boards.

New employees, including those in management and all other positions of responsibility, should be made aware of the policy as part of any formal induction process to familiarise them with their job and their working environment and any rules and regulations that apply. Where a staff handbook is distributed to employees as part of the induction process, the Anti-Bullying Policy should be included. Existing employees should receive updated and regular communication on the policy

Employees should be provided with such information, training, development and supervision as is necessary to ensure the prevention of bullying. Such training is especially important for those members of staff responsible for supervision and for implementing the policy and responding to complaints. Best practice would ensure that records are kept by the employer of all such training.

Employees should note that the Dignity at Work Policy is subject to change, amendment or update by [COMPANY] from time to time, or as required by amendments to employment law.

# COMPANY VEHICLE POLICY

It is the policy of COMPANY to provide a company vehicle for work use. All drivers must comply with the Road Traffic Act and act in a manner that represents the COMPANYI Image

## Documentation & Service:

Full current Driving License must be carried with the driver at all times to be compliant with the law. Insurance disc, Tax disc & NCT / DOE must be displayed. Please inform your manager if any are out of date. It is the driver’s responsibility to inform his manager to book the car in for a service, to make any necessary arrangements and, to ensure the service book is stamped. Ask your manager who the current service agent is for your vehicle.

## Insurance:

All vehicles have fully comprehensive insurance. Please check with your manager if you are covered by COMPANY insurance to drive an individual vehicle. Insurance does not cover passengers in the back of two-seater vans, e.g., Berlingo or Sprinter vans. Any passengers in the back of such a vehicle are illegal. If the driver damages the car due to negligent driving he must pay the excess charge on any insurance claim or the equivalent to excess charge on any repairs undertaken on the damaged vehicle.

Drivers may be required to provide an official statement of penalty points regularly.

## Accidents or Mishaps:

Any accidents no matter how minor must be reported to management in writing immediately.

If necessary, call ambulance or get witness to do so.

• Notify Gardai, if necessary.

• Inform your manager.

• Do not admit liability.

All details of the accident must be recorded as soon as possible on the Motor Vehicle Accident Report Form Details should include the following:

• Details of third-party name, address, landline AND mobile telephone numbers.

• Registration and model of the vehicle.

• Insurance details from the insurance disc on the car.

• Witnesses names, addresses, and telephone numbers.

• Take photographs of damage and position of car.

## Breakdowns:

The following are guidelines in the event of a vehicle breaking down while in your possession:

• Get your vehicle off the road if possible and warn other traffic by using your hazard lights, particularly if your vehicle is causing an obstruction.

• Exit your vehicle only when it is safe to do so.

• All COMPANY Vehicles have road side assistance, always make sure you have the details or they are in the car.

• Depending on the location of the breakdown, it will be decided if a tow truck is necessary or if a local garage can deal with the breakdown.

## Expenses

Expenses regarding the vehicle are to be paid by the employee and claimed back by filling in an expense sheet and attaching receipts in numerical order. These expenses are normally paid with your salary. They can also be paid on a weekly basis by cheque on request.

Each vehicle is supplied with a mileage log book. Each driver is to fill in all fields on a line for each journey. Each driver is to use a fresh page in the log book for each month. It is the responsibility of all drivers to fill this in on every trip they make in the car.

You will be provided with a fuel card with the keys to the vehicle, all private mileage, used with permission will be deducted at current rate from your salary or expenses if both are provided together at end of month.

Under no circumstances are you to give this card to anyone else, or your pin number for the card if you have been issued with one. You must give the vehicle registration number and mileage at garage in order to have it on the receipt. Any receipts produced without this information may be charged to yourself.

Most vehicles have been fitted with tags for tolls. This is for company use only. If your vehicle is not fitted with a tag, it is your responsibility to pay the toll amount, get a receipt and claim with your expenses. If you do not pay the toll and it results in a fine, you will be liable for this fine.

COMPANY will not reimburse fines for speeding, clamping or towing away when vehicles are wrongly parked.

## General guidelines & Condition of Vehicle:

Company vehicles represent the company, so it is very important that they are kept clean, vacuumed and the dashboard area is dust free. If you eat in the car, ensure that you clean it after doing so. If you spill anything, clean it up immediately to prevent smells and staining. Do not leave rubbish, papers, clothes etc. in the car. Another member of staff may need this vehicle at any time. Wash the car once a week either by hand with warm water and a sponge or with a jet pressure wash. UNDER NO CIRCUMSTANCES use a ‘drive through brush wash’ as they damage the paint work.

The vehicle will be routinely checked for any marks or damage. Faults or defects in the vehicle must be reported in writing/email immediately to Management.

It is the responsibility of the driver to load/empty any vehicle he uses. No Company goods or personal items are to be left in the vehicle overnight. All vehicles must be locked when not occupied.

Should an employee have their license withdrawn for any reason, they must notify their Manager immediately in writing as it may affect your ability to fulfil your Contract of Employment. Should an employee receive penalty points they must notify their manager in writing. Mobile phones are not to be used if hand held, pull in before answering or making any calls. This is the law and is for your own safety.

Any accident involving the Company vehicle when the driver is under the influence of alcohol, medication or banned substance abuse is the sole responsibility of the driver and may lead to disciplinary action.

Any driver found to be representing COMPANY in an aggressive manner could be found in breach of the company policy and therefore be liable for disciplinary action.

Under the Public Health (Tobacco) Act, 2002, Section 47, Regulation 2003 it is illegal to smoke in enclosed places of work in Ireland, which includes company vehicles.

Any person found in breach of the ban on smoking in the workplace may be subject of a fine up to €3000.

The owner, manager or person in charge of the workplace is legally responsible for ensuring that the ban on smoking in the workplace is complied with.

Failure to adhere to any of this vehicle policy may result in disciplinary action being taken against you.

## Expense Policy:

Expenses are only for when working outside the Dublin area except parking and toll charges incurred when attending a COMPANY customer.

Expenses will be paid monthly with wages and must be provided to accounts by 21st of the month unless requested by employee otherwise:

• All expenses must have a valid, numbered receipt.

• Expenses will not be paid without a valid receipt.

• All receipts must have name of supplier and date.

• If goods has VAT, this must be shown by putting net amount in analysis column

i.e Misc, VAT amount under vat column and total under total column. (Net + VAT

= Total)

• Put expenses in date order

## Use of GPS

It is company policy that all vehicles provided by the company are fitted with a GPS Device. The GPS device has been fitted with a tracking system to enable the company to track the vehicle location, route taken, time spent at each stop and the speed of the vehicle. This information is tracked for the purpose of ensuring employee safety, increasing employee efficiency and maintaining accurate timekeeping records. This information will be tracked during worktime only. A privacy switch has been installed in the vehicle.

# CCTV SYSTEM POLICY

## Introduction

The purpose of the CCTV System Policy of COMPANY(“the Policy”) is to regulate the management, operation and use of the closed circuit television (CCTV) system (“the System”) at COMPANY(“the Company”).

The system comprises a number of fixed and dome cameras located around the company site. The Policy follows the Data Protection Commissioner’s published guidelines and is in accordance with the Data Protection Acts, 1988 - 2003, (“the Acts”). The System is wholly owned by the Company.

##  Objectives of the System

(a) To act as a deterrent against criminal activity affecting property belonging to the company.

(b) To increase safety of staff, customers and visitors.

(c) The System will not be used to monitor the movements of staff, customers or visitors.

## Statement of intent

The Company will treat the System and all information, documents and data images obtained and used there from as data which may be deemed personal data requiring protection under the Acts.

It is intended that the CCTV cameras will be used to capture images of intruders or individuals damaging property or removing goods without authorization, and release this information to and at the request of, the Gardai.

Information captured as a result of the use of the System will not be used for any commercial purpose. The recorded images shall be stored on DVDs which will only be released to third parties for use in the investigation of a specific crime and with the written authority of the Garda Siochana. DVDs containing personal data will never be released to the media or other third parties for any purpose that is not permitted under the Policy without the Data Subject’s consent.

The planning and operation of the System has been designed to ensure that it provides maximum effectiveness and efficiency insofar as is reasonably practicable, but it is not possible to guarantee that the System will cover or detect every single incident taking place in the areas of coverage.

Warning signs, as required by the Code of Practice of the Data Protection Commissioner have been placed at all access points to areas covered by the company CCTVs to inform all persons who may be deemed Data Subjects, of the existence of the System.

## Operation of the system

The Data Controller will be COMPANY. For the purposes of ensuring the fair usage of the CCTV system, a detailed assessment on the use of CCTV has been conducted and documented within this area to ensure that the use of CCTV is justified in terms

of achieving the objectives outlined above. In practice, the System will be managed by , hereinafter referred to as “Manager”), in accordance with the principles and objectives expressed in the Policy.

The day-to-day management will be the responsibility of the Manager and be approved by the Chief Executive. Other personnel may also be authorised by the Chief Executive to view recorded images for the purposes outlined in this policy, e.g. the Assistant Manager.

The Manager’s office (referred to in 6 below) will only be staffed by the Company’s authorised security and management personnel who shall also adhere to the Policy.

The System will be operated 24 hours each day, every day of the year, except for periods of breakdown or necessary maintenance.

## Control Room

The Manager’s office is where the system is installed and from where it is controlled. The Manager will check and confirm the efficiency of the System regularly and in particular that the equipment is properly recording and that cameras are functional. The recording equipment is located in a locked cabinet in the Manager’s office. The key will be held by the Manager.

Access to the Manager’s office will be limited to authorised personnel while recorded data is being viewed.

If out of hours emergency maintenance arises, the Management and or Data Controller must be satisfied of the identity and purpose of contractors before allowing access to the Control cabinet. During the working day when the Manager’s office is not manned the Control cabinet will be kept locked.

## Recording procedures

CCTV recording will be maintained at all times.

CCTV Monitors are installed in the following areas and will be used in accordance with this policy:

(a) Manager’s office

(b) Other locations (if any). Should this be a remote monitor, its use will be restricted to ensure that staff and customer movements are not being monitored or captured continuously.

## Video recording procedures

Recordings are initially made to a hard disk which is located in the locked Control cabinet in the Manager’s office. The equipment is programmed to delete images after 28 days automatically. Data can be recorded on to DVDs for specific purposes in accordance with this policy and with the authorization of the Chief Executive. Such DVDs will be stored in the locked Control cabinet.

In order to maintain and preserve the integrity of the DVDs used to record events from the hard drive and the facility to use them in any future proceedings, the following procedures for their use and retention must be strictly adhered to:

(a) Each DVD must be identified by a unique mark.

(b) Before use each DVD must be cleaned of any previous recording.

(c) The Manager shall register the date and time of DVD insert, including DVD reference.

(d) A DVD required for evidential purposes must be sealed, witnessed, signed by the Manager, dated and stored in a separate and secure, safety container. If a DVD is not copied for the Gardai before it is sealed, a copy may be made at a later date providing that it is then resealed, witnessed, signed by the Manager, dated and returned to the evidence DVD store.

(e) If the DVD is archived the reference must be noted.

DVDs may be viewed by the Gardai when requested to assist them in their duties.

A record will be maintained of the release or viewing of DVDs to the Gardai or other authorised persons. A register will be maintained for this purpose.

Should a DVD be required as evidence, a copy may be released to the Gardai under the procedures described in paragraph 7.2 (d) of the Policy. DVDs will only be released to the Gardai on the clear understanding that the recording remains the property of the Company, and both the DVD and information contained on it are to be treated in accordance with this code. The Company also retains the right to refuse permission for the Gardai to pass to any other person the DVD or any part of the information contained thereon. On occasions when a Court requires the release of an original DVD this will be produced from the secure evidence DVD store, complete in its sealed bag.

The Gardai may require the company to retain the stored DVDs for possible use as evidence in the future. Such DVDs will be properly indexed and properly and securely stored until they are needed by the Gardai.

In respect of DVDs not required to be retained for security, crime detection or other legitimate purposes, the Company will ensure its best endeavours are used to safely and properly dispose of the contents of the DVDs after 28 days.

Applications received from outside bodies (e.g. solicitors) to view or release personal data stored on DVDs and held by the Company will be referred to the Chief Executive. In these circumstances a copy of the relevant DVD will normally be made available for viewing or released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, a subject access request, or in response to a Court Order. A fee can be charged in such circumstances: €6.35 for subject access requests; a sum not exceeding the cost of materials in other cases.

## Breaches of the Policy (including breaches of security)

Any breach of the Policy by the Company staff or any other person with responsibility under the Policy will be initially investigated by the Chief Executive, in order for him/her to take the appropriate disciplinary action.

Any serious breach of the Policy will be immediately investigated and an independent investigation will be carried out by nominees of the Chief Executive to make recommendations on how to remedy the breach.

## Assessment of the System

Maintenance and performance of the system, including random operating checks, will routinely be carried out by the Manager.

## Complaints

Any complaints about the Company’s CCTV system should be addressed to the Chief

Executive. Complaints will be investigated in accordance with paragraphs 8.1 and

8.2 of the Policy.

Any person who might be deemed a Data Subject in relation to the System shall be at liberty to make a complaint directly to the office of the Data Protection Commissioner, Canal House, Station Road, Portarlington, Co. Laois.

## Access by the Data Subject

The Acts provide Data Subjects (individuals to whom "personal data" relate) with a right of access to personal data held about themselves (including images recorded by the System and stored on DVDs), under the terms of the Acts.

Requests by Data Subjects for such access should be made in writing to the Chief Executive. The form of access granted may consist of facilities being offered at the Company premises to view the relevant personal data or the release of a copy DVD storing the relevant personal data.

NOTES