

ENVIRONMENTAL PROTECTION AGENCY

GENERAL CONDITIONS OF EMPLOYMENT FOR PERMANENT STAFF

Offers of appointment are subject to the General Conditions of Employment contained herein and to any specific requirements stipulated in the letter of offer.

1. MEDICAL EXAMINATION

The appointment is subject to the EPA's medical advisor's satisfaction with a pre-employment medical assessment, conducted by a medical practitioner nominated by the EPA.

2. TENURE

The appointment will be permanent and pensionable subject to the conditions governing Probation (No.3), Superannuation (No.14), and the Termination of Employment (No. 17) set out below. Retirement will be compulsory at age 65 for staff who were appointed prior to April 1, 2004 but an employee may retire at any time after reaching the age of 60 subject to giving the EPA one month's notice in writing. Staff appointed after April 1, 2004 are subject to a minimum retirement age of 65 and have no compulsory retirement age. Staff recruited on or after 1 January 2013 who are new entrants to the Public Service will have a minimum retirement age of 66 (rising to 67 and 68 in line with State Pension changes). Compulsory retirement age for new entrant scheme members is at the age of 70.

The provisions of Section 35 of the Environmental Protection Agency Act, 1992 (Membership of either House of the Oireachtas or European Parliament) and Section 36 (Membership of a Local Authority) of the Environmental Protection Agency Act, 1992 will also apply.

3. PROBATIONARY PERIOD

A probationary period of twelve months actual service from the date of commencement of employment in the post shall apply, during or at the end of which period the EPA in accordance with the provisions of the Minimum Notice and Terms of Employment Acts 1973 – 2005 may terminate the contract of employment. Performance will be assessed on an on-going basis.

4. SALARY

Starting salary will normally be at the minimum of the scale. Increments are granted annually, subject to satisfactory performance, up to the maximum of the salary scale. The salary scale for certain grades includes provision for two Long Service Increments for permanent staff after 3 and 6 years satisfactory service on the maximum of the scale.

Salary will be:

- (1) paid monthly in arrears by direct credit to the employees bank account.
- (2) subject to such deductions as may from time to time be provided by law.
- (3)
 - (i) subject to general pay increases applicable throughout the public service.
 - (ii) adjusted otherwise as determined by the EPA with the consent of the

Minister for the Communication, Climate Action and Environment and
the Minister for Public Expenditure and Reform.

Staff who are or have been categorised as full rate PRSI contributors (Class A) may be entitled to claim benefits under the Social Welfare Acts. Payment of salary by the EPA during, for example, maternity leave or sick leave will be subject to such staff members:

- (a) signing a mandate authorising the Department of Employment Affairs and Social Protection to pay any social welfare benefits directly to the EPA and;
- (b) making the necessary claims for benefit to that Department within the time limits

If for some reason the mandate is not operable the employee will be required to lodge any social welfare cheques as they are received to the EPA's bank account. Failure to comply with this obligation to claim benefits may result in the EPA refusing to pay salary, or, where salary has already been paid, recovering the appropriate proportion of salary already paid, in lieu of such benefits.

5. ANNUAL LEAVE

Annual leave will be that authorised by the EPA from time to time in addition to public holidays. All leave must be taken in accordance with such regulations made by the EPA from time to time.

6. MATERNITY/ADOPTIVE LEAVE

Female employees are entitled to maternity leave in accordance with the provisions of the Maternity Protection Acts 1994-2004.

Adoptive leave will be granted in accordance with the provisions of the Adoptive Leave Acts 1995-2005.

7. SICK LEAVE

The grant of sick leave - with or without pay - is at the discretion of the EPA which has delegated this function to the Programme Manager, Human Resources and Corporate Governance.

Paid sick leave (less appropriate arrangements in respect of benefits payable under the Social Welfare Acts) may be allowed on receipt of a satisfactory medical certificate and provided there is not permanent disability. Medical certificates must be submitted to Human Resources through the local manager. In cases of extended absences medical certificates must be submitted on a weekly basis.

Subject to the foregoing and to any new regulations which may be made from time to time, sick leave may be allowed at full pay up to a maximum of three months in any twelve month period and at half pay thereafter, subject to a maximum of six months paid sick leave in any period of four years or less.

Any medical certificates furnished should not identify the nature of the illness unless the individual has been diagnosed with a medical condition that could give rise to his/her health and safety (or the health and safety of his/her colleagues) in the workplace.

Paid sick leave for one or two-day absences, to a total not exceeding seven days in any period of twenty-four months, may be granted without medical certificates. Where the absence exceeds two consecutive days, a medical certificate must be submitted on the third day.

8. SPECIAL LEAVE

Special leave (with or without pay) will be subject to EPA policy and procedures and prevailing legislation governing any of these matters.

9. HOURS OF ATTENDANCE

Hours of attendance at work will be arranged from time to time by the EPA and will amount to 37 hours net per week. Normal working hours will be 9.00 a.m. to 5.00 p.m. with a minimum of 30 minutes for lunch. On occasion, an employee may be required to work outside these hours depending on work requirements.

10. NATURE OF EMPLOYMENT

(1) An employee of the EPA is employed in a wholetime capacity and unless otherwise authorised in writing by the EPA may not in any way be connected with any outside business, which might interfere with or be prejudicial to, the performance of official duties. If an employee has any doubts in this regard she/he should consult the Programme Manager, Human Resources and Corporate Governance.

(2) A person employed by the EPA shall not communicate or publish the results of work or research performed by or for the EPA, or disclose information concerning the EPA's work or activities without the consent of the EPA.

(3) A person employed by the EPA may be required to sign a deed assigning all results of investigations or research carried out by him/her to the EPA and undertaking to execute all necessary documents to enable the EPA to secure relevant patents.

11. DUTIES

Employees shall perform such duties, appropriate to their grade, assigned from time to time by the EPA. The EPA expects employees to exercise their full effort, care, skill and knowledge in carrying out the duties assigned to them.

12. WORK LOCATION

The EPA has a headquarters in Wexford and a number of regional inspectorates. The work location of an employee shall be designated by the EPA as the exigencies of the work require. An employee is expected to reside within a reasonable distance of the work location at which he/she is based.

13. EXPENSES

Travel and subsistence allowances for absences from work-base on EPA business and any other allowances or payments shall be paid at rates approved, and in accordance with any rules and regulations determined by the EPA from time to time.

14. SUPERANNUATION

Environmental Protection Agency Staff Superannuation Scheme

Membership of the EPA Staff Superannuation Scheme and the Spouses' and Children's Contributory Pension Scheme will be compulsory for all staff other than those to whom the Single Public Service Pension Scheme applies. In general, membership of the Single Public Service Pension Scheme applies to new entrants to the public service from 1 January 2013.

Membership of the Staff Superannuation Scheme will be on a **contributory** basis. Persons currently paying modified rate PRSI may be entitled to non-contributory membership of the Superannuation Scheme.

Pensions (and Contributions) will be co-ordinated with the Social Welfare Contributory Old Age Pension.

Superannuation contributions are payable at the rate of:

- 1.5% of full salary
- **plus**
- 3.5% of full salary less twice the annual rate of social insurance old age contributory pension, payable at the maximum rate to a person with no adult dependants or qualified children.

Contributions of 1.5% of full salary are also payable in respect of benefits under the Spouses' and Children's Contributory Pension Scheme.

Single Public Service Pension Scheme

The contribution rate is 3.5% of net pensionable remuneration (pensionable remuneration less twice the annual State Pension Contributory) and 3% of pensionable remuneration.

Full details on the Single Public Service Pension Scheme and exceptions are available at <http://per.gov.ie/single-scheme/>

15. PERMANENT HEALTH INSURANCE

Membership of the approved Permanent Health Insurance Scheme for EPA Staff will be automatic, subject to acceptance by the underwriters of the scheme.

16. STAFF REGULATIONS

Employees are obliged to comply with all policies and procedures, staff regulations, work rules, Code of Conduct and any standards and codes of practice adopted by the EPA.

17. TERMINATION OF EMPLOYMENT

Notwithstanding the fact that this is a permanent appointment, the EPA reserves the right to terminate the appointment in the event of circumstances arising, which were not foreseen when, the appointment was made. In such circumstances, the EPA will give in writing, three months notice or the appropriate period of notice as set out in the Minimum Notice and Terms of Employment Acts, 1973 - 2005, whichever is the greater.

The employment may also be terminated for stated reasons such as incompetence, failure to perform one's duties satisfactorily, ill-health, irregular attendance or

other disciplinary matter, on the giving of one months notice in writing by the EPA.

In the event of serious misconduct, employment may be terminated at any time without prior notice or payment in lieu of notice.

If the employee wishes to terminate the employment, the EPA will require one months advance notice in writing.

18. OTHER MATTERS

An employee of the EPA of a class, description or in a grade prescribed must comply with:

- (a) Section 37 of the EPA Act, 1992 and Environmental Protection Agency (Declaration of Interests) Regulations, 1994 (S.I. No. 205 of 1994) requiring the making of a declaration of interests in the prescribed form, and otherwise comply with the provisions of that section.
- (b) Section 38 of the EPA Act, 1992 relating to certain beneficial interests.
- (c) Sections 39 and 40 of the Environmental Protection Agency Act, 1992, which relate to the disclosure of confidential information and the prohibition of certain communications in relation to any matter which falls to be considered or decided by the EPA, or any of its committees or consulting groups.
- (d) The Ethics in Public Office Act 1995, Standards in Public Office Act 2001 and the Ethics in Public Office (Prescribed Public Body, Designated Directorships of Public Bodies and Designated Positions in Public Bodies) (Amendment), Regulations, 2008 S.I. No. 607/2008 requiring the making of written statements in respect of registrable interests.

***** End *****