

Career Breaks & Sabbaticals

What the Law says

Many companies have an official career break or sabbatical policy, and this will be in the HR handbook. Even without a career break policy, your company can still give you a sabbatical. Many organisations offer career breaks to employees who've worked there for a minimum period of time - this is standard practice.

If you're an employee who wants a sabbatical, you might want to know what the law is surrounding career breaks or sabbaticals. Currently, the law is silent on career breaks. Your company doesn't have to offer staff a sabbatical if they don't want to.

Career breaks should always be applied equally and fairly - if they're left to a manager's discretion, and you don't get one, you might be able to bring a case for discrimination against your employer if you can cite a comparator in similar circumstances.

When you go on a sabbatical, whether or not there's an existing career break policy, you must get the terms in writing.

Employment contracts and any similar contracts (like the career break agreement) are still governed by law, which means your employer can't impose any 'unreasonable' conditions. It also means that you are bound by the contract, so, for example, you may not have any right to return to work early.

You will also need to protect yourself from unexpected developments. For example, what if you are made redundant while on sabbatical? What if you want to extend or curtail your career break? What if you don't want to come back?

What if your job no longer exists and you're offered a different one? All these things must be considered before you take your sabbatical.

Finally, be aware that while you are on sabbatical, you are still legally employed by the company, even if you're not being paid.

EXAMPLES OF CORPORATE AGREEMENTS

Royal Mail Group

Who is eligible?

Employees who have two years or more continuous service and have a good performance and satisfactory attendance record.

Career breaks can be applied for up to two years depending on individual need. If less than six months, the manager may consider offering other time off instead where this may be more appropriate.

Career Break Request

Employees should submit a Career Break Request form to their manager at least three months before the proposed start date of the break. The Manager reviews the form for eligibility. Once approved, the manager should advise you in writing as to the outcome and inform HR.

If the request is rejected, the manager should meet with the employee to discuss this and alternative options, such as flexible working (e.g. change in hours), other time off or annual holiday. The manager should formally confirm the decision in writing to the employee and also carry out a pre-break interview.

During the career break the manager should ensure that the employee is kept informed of any changes. As the career break approaches (typically three months before the end), the line manager should contact the employee to discuss their return to work. One month before returning to work, HR will email the employee's line manager and request that an *Employee Change Request* form be completed.

On returning to work the line manager will conduct a re-entry interview and cover areas such as, changes within Royal Mail Group, salary and holiday entitlement on return to work.

BT - Time Out

Time Out offers individuals the opportunity to take extended leave whilst providing the business with the mechanism to retain and re-energise a committed workforce.

As a guide, people could take up to a maximum of four breaks totalling up to 2 years, providing that there is a minimum 2 years work period between breaks. Line managers retain the discretion as to whether a sabbatical can be taken, as well as its length and timing, based on operational feasibility and budget availability, where applicable.

How it Works

The line manager needs to consider any requests for Time Out, in light of an individual's career/life plan, the future needs of the business and how the unit would operate during the absence. If a line manager is able to accommodate an individual's request for Time Out the line manager needs to consider whether the period would be paid or unpaid.

Linda Roy | National Equality Officer | Email: lroy@cwu.org