

Maynooth University  
Human Resources  
Office

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# Paternity Leave Policy

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**Version:** August 2019  
**Scope:** This policy applies to all Maynooth University employees who are considered to be a 'relevant parent' for the purposes of the Paternity Leave and Benefit Act 2016.

## Revision History

Date of this revision: August 2019	Date of next review: 2024
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## Relevant Information

Paternity Leave and Benefit Act 2016

Circular on Paternity Leave

Maynooth University Maternity Leave Policy

Maynooth University Adoptive Leave Policy

## Glossary of Terms

Relevant parent	A 'relevant parent' is: <ul style="list-style-type: none"><li>• the father of the child;</li><li>• the spouse, civil partner or cohabitant, as the case may be, of the mother/adopting mother of the child;</li><li>• the parent of a donor-conceived child;</li><li>• adopting father; or</li><li>• the nominated spouse chosen by a married couple of the same sex who have jointly adopted or are in the process of jointly adopting a child.</li></ul>
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## **Section One**

### **1. Policy Statement**

Maynooth University is committed to supporting employees balance work and family commitments upon the birth or adoption of a child and therefore provides paternity leave to eligible employees on the birth of their child.

#### **1.1. General Principles**

Paternity leave is a period of two consecutive weeks paid leave available to a relevant parent on the birth/adoption of a child, where the date of birth/day of placement falls on or after 1st September 2016.

The leave is to allow the relevant parent to provide or assist in the care of the child or to provide support to the mother/relevant adopting parent of the child.

#### **1.2. Eligibility**

- 1.2.1. Paternity leave is available to all employees who are deemed to be the “relevant parent” of a child. Please see glossary of terms.
- 1.2.2. Only one person who is a relevant parent in relation to a child is entitled to paternity leave in respect of that child.
- 1.2.3. There is no minimum service requirement in order for an employee to eligible for paternity leave.

#### **1.3. Leave Entitlements**

- 1.3.1. Paternity leave applies to births/placements that take place on or after 1 September 2016.
- 1.3.2. An employee who is a relevant parent may avail of a continuous period of two weeks paternity leave. The leave must be taken as a block of two weeks and cannot be fragmented into smaller periods of leave.
- 1.3.3. Paternity leave can begin at the time of the birth/adoption or at any stage within 26 weeks of the birth/placement of the child. The leave will commence on the date the relevant parent selects in the written notification to the University.
- 1.3.4. Paternity leave cannot commence earlier than the date of birth or date of placement of the child, nor later than 26 weeks after the date of birth or the date of placement of the child.
- 1.3.5. In the case of multiple births e.g. twins, triplets, or where two or more children are being adopted at the same time, only a single two-week block of paternity leave applies.

#### **1.4. Terms and Conditions of Employment**

- 1.4.1. An employee's continuity of employment in respect of any rights (whether statutory, contractual or otherwise) is preserved in respect of statutory and contractual rights, except the right to pay.
- 1.4.2. An employee must claim Social Welfare Paternity Benefit<sup>1</sup> at least four weeks before the commencement of paternity leave. The University will then pay the employee full salary less any Social Welfare Paternity Benefit payable, for the duration of paternity leave. Employees working on a part-time or job share basis, and those availing of a Shorter Working Year, receive this benefit on a pro-rata basis.
- 1.4.3. The probationary period will be suspended while an employee is on paternity leave.

#### **1.5. Applying for Paternity Leave**

- 1.5.1. As soon as practicable, and not later than four weeks before the period of paternity leave is due to start, an employee who intends to take paternity leave must complete the University's Paternity Leave Application Form, which can be found on the Human Resources website.
- 1.5.2. The request must specify the commencement date of the period of paternity leave.
- 1.5.3. Once the application has been approved by the Head of Department or their nominee, it should be submitted to the Human Resources Office for processing. Human Resources will liaise with the employee directly to take any necessary follow-up action, including making arrangements for the completion of the Social Welfare Paternity Benefit Form (PB2) and confirmation of the expected date of birth.

#### **1.6. Changing Dates of Planned Paternity Leave**

##### **1.6.1. Early Birth / Placement**

Where the birth or placement of the child occurs four or more weeks earlier than the original application, the employee should notify Human Resources of their revised dates. This notification can be provided by contacting Human Resources directly to adjust their records.

##### **1.6.2. Late Birth / Placement**

An employee may postpone a period of paternity leave where the date of birth or placement occurs after their original notification.

A revised notification can be provided by contacting Human Resources directly to adjust their record.

##### **1.6.3. In the Event of Illness**

Where an employee becomes ill before a period of paternity leave has commenced, the period of leave may be postponed in whole or in part, subject to the agreement of the University. The postponed leave must not end later than 28 weeks after the date of birth or day of placement.

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<sup>1</sup> Staff members must have the necessary PRSI contributions and hold a Public Services Card in order to claim Social Welfare Paternity Benefit. In order to apply for paternity benefit, the employee must complete and submit Form PB1 directly to the Department of Employment Affairs and Social Protection. Form PB1 can be found at [www.mywelfare.ie](http://www.mywelfare.ie).

#### 1.6.4. Hospitalisation of the Child

In the event of the hospitalisation of the child, the period of paternity leave can be postponed in whole or in part by the employee and they can return to work, subject to the agreement of the University.

Any postponed paternity leave must be taken in a continuous block not later than 7 days after the discharge of the child from hospital or such other date as may be agreed upon between the University and employee.

#### 1.6.5. Changes to paternity leave dates and Social Welfare Paternity Benefit

In all instances where paternity leave dates are altered, the employee must advise the Paternity Benefit Section of the Department of Social Protection accordingly in writing. When paternity leave is resumed following a period of postponement, the employee must again contact the Department of Social Protection in writing in order for payment of the remaining Social Welfare Paternity Benefit to be resumed.

#### 1.6.6. Termination of paternity leave.

If an employee is found to be abusing this policy or the University has reasonable grounds for believing the paternity leave is not been used for the purposes intended, it may terminate the leave immediately.

If an employee is found to have abused this leave, they may be subject to disciplinary action in line with the University's disciplinary procedures.

## **Section Two**

### **2. Relevant Supports**

The University recognises the importance of supporting employees balance work and family commitments upon the birth or adoption of a child. The Human Resources office may be contacted for practical advice and guidance in relation to various supports that can be facilitated by the University in this regard.

Maynooth University  
Human Resources Office  
Maynooth, Co. Kildare, Ireland.

**Oifig Acmhainní Daonna**  
Ollscoil Mhá Nuad  
Má Nuad, Co. Chill Dara, Éire

**T** +353 1 708 3866 **E** [humanresources@nuim.ie](mailto:humanresources@nuim.ie) **W** [maynoothuniversity.ie](http://maynoothuniversity.ie)