

Maynooth University Parent's Leave Policy

November 2022

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Relevant Information

Publication	Link
The Parent's Leave and Benefit Act 2019	http://www.irishstatutebook.ie/eli/2019/act/35/enacted/en/html
Family Leave and Miscellaneous Provisions Act 2021	https://www.irishstatutebook.ie/eli/2021/act/4/enacted/en/html
Paternity Leave	https://www.workplacerelations.ie/en/what-you-should-know/leave/paternity%20leave/
Parental Leave	https://www.workplacerelations.ie/en/what-you-should-know/leave/parental%20leave/

1. Introduction

- 1.1. The Parent's Leave and Benefit Act 2019 amended by the Family Leave and Miscellaneous Provisions Act 2021 provides seven weeks from the 1st July 2022, statutory leave for a relevant parent 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. Parent's leave is available to each parent.
- 1.2. Parent's leave, paternity leave and parental leave are individual family friendly leaves. Each leave must be applied for separately and has different entitlements. It is a statutory leave type separate to maternity leave, parental leave and paternity leave.

2. Policy Statement

- 2.1. As an equal opportunities employer, Maynooth University is committed to helping and supporting employees to balance their work and personal responsibilities including family commitments. The Parent's Leave policy, which affords certain rights and entitlements to employees, is one of the supports which aims to assist employees to achieve this balance.

3. Relevant Parent

- 3.1. A relevant parent is defined under the Parent's Leave and Benefits Acts 2019 -2021 as one of the following:
 - A parent of the child;
 - A spouse, civil partner, or cohabitant of the parent of the child;
 - A parent of a donor-conceived child as provided for under section 5 of the Children and Family Relationships Act 2015;
 - The adopting parent or parents of a child; or
 - The spouse or civil partner of the adopting parent of the child (if the parents have not adopted the child together).

4. Eligibility for Parent's Leave

- 4.1. This policy applies to all eligible relevant parents who are in employment of Maynooth University if their children are born or adopted after the 1st November 2019. A pro rata entitlement is applied for staff who do not work full time. Each parent has a separate entitlement to parent's leave from their employer; however, parent's leave is not transferable between relevant parents who are both employees of the University.

5. Leave Entitlements

- 5.1. Parent's leave entitled each parent to 5 weeks leave during the first 2 years of a child's life, or in the case of adoption, within 2 years of the placement of the child within the family.
- 5.2. From July 2022, parent's leave increased to 7 weeks for each parent. Parents of children born between November 2019 and July 2020 will not be eligible for the additional 2 weeks.
- 5.3. In the event of multiple births or multiple adoptions at the same time, the total entitlement to parent's leave shall not exceed seven weeks.

- 5.4. Parent's leave can be taken as one block of leave or separate periods of not less than one week at a time within the first two years from the child's birth, or in the case of adoption, within two years of the placement of the child.
- 5.5. An employee on maternity leave may take their parent's leave once their standard maternity leave has concluded. If the employee avails of additional (unpaid) maternity leave, they may take the parent's leave after both periods of maternity leave have concluded. Parent's leave is separate to maternity leave. Parent's leave cannot start while the employee is on maternity leave but can start from the day maternity leave ends. An employee may include an application for parent's leave in their maternity leave application, or make a separate application if they have not applied for parent's leave in their maternity leave application.
- 5.6. Accrued public holidays, must be taken immediately following the parent's leave.

6. Postponed Parent's Leave

- 6.1. Under the Parent's Leave and Benefits Act 2019-2021, the University can postpone parent's leave when they feel it would have a 'substantial adverse effect on the operation of their business, profession or occupation'. Reasons for postponement can include:
- (a) The seasonal variations in the volume of work;
 - (b) The unavailability of another person to perform the duties of the employee during the leave period;
 - (c) The nature of the duties referred to in (b); and/ or
 - (d) Staffing levels over the period of the requested leave.
- 6.2. The University may postpone the requested leave, but must let the employee know in writing no later than 4 weeks before the intended start date of the leave.
- 6.3. The leave cannot be postponed for more than 12 weeks after the start date of the requested parent's leave, and the new date must be agreed with the employee's manager.
- 6.4. Before postponing parent's leave with written notice, the manager must consult with the employee.
- 6.5. The notice must contain a statement summarising the grounds for postponement.
- 6.6. The leave cannot be postponed more than once.

7. Hospitalisation of the child

- 7.1. If an employee's child is hospitalised and they want to postpone their parent's leave, either if it has already started or before it starts, the employee must put the request in writing to the University.

8. Benefit

- 8.1. Where enough PRSI contributions have been made, the parent will be entitled to a payment from the Department of Employment Affairs and Social Protection.

8.2. The entitlement to payment from the Department of Employment Affairs and Social Protection is a matter between the applicant and the Department of Employment Affairs and Social Protection.

9. Making an application

9.1. Approved requests to avail of parent's leave should be submitted to Human Resources (humanresources@mu.ie) six weeks before the date that the employee intends to start the leave.

9.2. The process will be as follows:

- The employee will submit their request for parent's leave to their manager in the first instance.
- The manager will take into consideration, when considering the parent's leave application, the business needs of the business unit at the time of the request and the number of employees in their unit availing of different types of leave at this time.
- The manager will discuss the employee's request for leave with the employee and sign the application form approving the request for parent's leave.
- Where the leave request cannot be immediately supported, and is being deferred, the manager will discuss with the employee, note their decision on the application form, and indicate the revised expected start date and how long the leave will be.

10. HR Action

10.1. HR will issue the employee with a letter confirming the manager's approval of the parent's leave arrangement.

10.2. HR will notify the Payroll Office of the periods of leave.

10.3. Copies of the signed documentation are held electronically on the employee's record.

11. Employment Rights during Parent's Leave

11.1. Parents who take parent's leave can get PRSI credit for every week taken.

11.2. Parent's leave is unpaid leave.

11.3. Employees taking parent's leave retain all rights except those relating to remuneration including pension.

11.4. Employees retain their normal entitlements to public holidays that occur during a period of parent's leave.

11.5. Employees accrue annual leave as normal during a period of parent's leave.

11.6. Probationary periods, training, and apprenticeships will be extended by the period of the parent's leave.

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