



Polasáí agus Nósanna Imeachta/Policies and Procedures

Code	QA102
Title	Parental Leave
Policy Owner	Director of Human Resources
Date	19/09/2016; Latest review date: 01/11/2023
Approved By	University Management Team

1.0 Purpose

Under the terms of the Parental Leave Acts 1998 to 2019, an employee who is the natural or adoptive parent of a child, or who is acting in loco parentis in respect of an eligible child, shall be entitled to unpaid leave (parental leave) for a period of 26 working weeks. The purpose of the leave is to enable a parent to take care of their child.

2.0 Description

Parental leave is granted to enable working parents, both men and women, to take care of their young children. Each parent is entitled to 26 weeks parental leave for each child. The leave must be taken before the child reaches the age of 16 years in all cases including for parents of children with a disability or long-term illness and in the case of adoption.

Where an employee is entitled to parental leave in respect of more than one child and the children concerned are not children of a multiple birth, the period of parental leave taken by them in any period of 12 months shall not, without the consent of the Head of the Department/Unit concerned, exceed 26 weeks. In the case of multiple births, this restriction does not apply.

Each parent has a separate entitlement to parental leave from their job. Where both parents work for the University, one parent may transfer 14 of the 26 weeks of their leave to the other parent, subject to the agreement of the University.

3.0 Responsibilities

Name	Responsibility
Director of Human Resources	Policy Owner
All Staff	Give six weeks' notice of intention to avail of this leave, completing the appropriate application form
Line Manager	Initial approval of leave application; Read and comply with this leave policy and ensure the leave application is reviewed and submitted to HR promptly
Human Resources Office	Final approval of leave application; Review this policy on a regular basis in light of any changes in legislation

4.0 Related Documentation

- [Parental leave application form](#)



5.0 Appendices

- Appendix 1: Operating Procedure for the Parental Leave Scheme
- Appendix 2: Note on Income Protection (or Permanent Health) and Voluntary Life Assurance

Appendix 1: Operating Procedure for the Parental Leave Scheme

1.0 Duration

Members of staff may apply for parental leave for a period of 26 working weeks.

2.0 Manner in which Parental Leave may be taken

- a. Parental leave may be taken as one continuous period of 26 weeks
- b. Two separate periods of a minimum of six weeks each (with at least 10 weeks between each separate period)

Subject to the University's agreement, a combination of lesser periods of leave (broken leave), not to exceed the overall period of 26 weeks, may be taken. Employees have a statutory entitlement to take parental leave in the manner outlined in point a and b above. However, agreement to broken leave is at the discretion of the University.

While staff will be facilitated as far as is possible, the University may postpone parental leave if such leave would have a substantial adverse effect on the operation of the School/Unit concerned, in accordance with the Acts. This must be notified in writing to the applicant not later than four weeks before the intended date of commencement of the leave. The postponement may be to an agreed date, not later than six months from the date on which the employee had intended that the parental leave was to start. A second postponement, in respect of a particular child, is not permitted unless the grounds for postponement are seasonal variation in the volume of work concerned. Parental leave will not be lost if, solely as a result of postponement, the child reaches the age threshold laid down in the Acts.

While an employee has an entitlement to 26 weeks unpaid parental leave, they are not obliged to take the full entitlement.

Where public holidays fall during the period of parental leave, they are added on to the end of parental leave.

3.0 Eligibility for Parental Leave

An employee must have completed one year's continuous service with the University before being entitled to take parental leave.

In circumstances where the employee has more than three months service, but less than one year's continuous service, and where the child is approaching the age threshold, the employee shall be entitled to parental leave at a rate of one week for each month of continuous service completed with the University.

4.0 Notification required to avail of Parental Leave

An employee should apply to Employee Relations, Human Resources Office as soon as is reasonably practicable, but not later than six weeks prior to the proposed commencement date of parental leave. The application must be completed and approved by the relevant manager before sending to Employee Relations. This should be accompanied by evidence of the date of birth or date of adoption order of the child.



The notice must specify the date the employee intends to commence parental leave, the duration of the leave, and the manner in which the employee proposes to take the leave. The employee may revoke this at any point before the confirmation document is signed.

Not later than four weeks before the commencement of the parental leave, the employee must give what is called a 'confirmation document' specifying the date of commencement of the leave, its duration, and the manner in which it will be taken. The Employee Relations Manager and the employee must both sign the 'confirmation document' and a copy must be given to the employee. Once signed, no amendment can be made to this document without the agreement of both parties.

5.0 Maintenance of Employment Rights during Parental Leave

An employee is not entitled to payment whilst absent on parental leave.

In the case of an employee who is on probation at the start of parental leave, the period of probation will stand suspended during the absence on parental leave and will be completed by the employee on their return to work.

An employee on parental leave is deemed for all purposes (other than the right to remuneration and superannuation benefits) to be in employment. The absence will therefore count as service and will reckon for incremental purposes and for qualifying service for annual leave (including concession days) and promotion.

Absence on parental leave cannot be treated as part of any other form of leave, including sick leave, annual leave, adoptive leave, maternity leave, and force majeure leave to which the employee is entitled. An employee who falls ill while on parental leave and as a result is unable to care for the child, may suspend the parental leave for the duration of the illness following which period the parental leave recommences. Notice of such illness must be given in writing as soon as is reasonably practicable after becoming ill and must be accompanied by a medical certificate in accordance with the University's sick leave scheme.

6.0 Social Welfare Arrangements

Staff on parental leave who are covered by social insurance, will be entitled to credited PRSI contributions from the Department of Social Protection. Please inform Employee Relations at the time of application if you are covered by social insurance to ensure that the appropriate credits are made.

7.0 Resolution of Disputes

Any dispute in relation to entitlements under the Acts may be referred by an employee to their Head of Department/Unit, in the first instance, who may in turn refer the matter to Employee Relations for advice. In addition, the Acts provide for referral of a dispute by either party in relation to entitlements under the Acts to a Rights Commissioner. Referral must be not later than 6 months after the occurrence of the dispute. Where appropriate and where requested by the employee concerned, the grievance procedure may also be used for the resolution of such disputes.

8.0 Abuse

Parental leave is granted to enable working parents, both men and women, to take care of their young children. If the University has reasonable grounds for believing that an employee is not using the leave for this purpose, the leave may be terminated following the expiry of seven days' notice and the employee concerned may be required to return to work. However, before any notice of termination can be given, the employee must be invited to make representations on the matter within a period of seven days.



9.0 Refusal

An application for parental leave may be refused where the University has reasonable grounds for believing that the employee does not have a legitimate entitlement under the terms of the Acts.

10.0 Request for a change in working hours or patterns on return from Parental Leave

A staff member may request a change to their working hours and/or patterns of work for a set period following their return to work from parental leave. They must as soon as is reasonably practicable but not later than six weeks before the proposed commencement of the set period give Employee Relations a request in writing specifying the nature of the changes requested and the duration of the set period. The University will, not later than four weeks from receipt of request inform the staff member if the request has been refused or granted. Where the request has been granted the University and staff member will sign an agreement specifying the changes to the staff member's working hours or patterns of work, or both, the date of commencement, duration of the set period and the date of return to normal contractual working hours.

11.0 Application and Approval Process

The University is committed to supporting parents of young children to achieve an appropriate work-life balance. In this regard appropriate cover for parental leave will be available if required to support parents who wish to take parental leave and remove the disadvantage of increased work burden from colleagues in schools and units where a member of staff is taking parental leave.

- a. Applications for parental leave must be made via the [parental leave application form](#).
- b. The Head of School/Unit will review the application and consider whether it is possible to facilitate parental leave as requested.
- c. The Head of School/Unit should complete part 4 of the application form.
- d. The complete application should be returned to Employee Relations, Human Resources Office for final approval no later than six weeks prior to the proposed commencement date of parental leave.
- e. An approval confirmation will be sent to the applicant and Head of School/Unit from the Employee Relations Manager. Leave cannot commence prior to formal approval confirmation.

Appendix 2: Note on Income Protection (Permanent Health) or Voluntary Life Assurance Plans

If you take unpaid parental or maternity leave, your cover will continue automatically without charge, subject to a maximum of 26 weeks in any one year. Premiums in respect of this period will be waived and deductions will recommence on return to work. If you take parental leave for longer than 26 weeks in any one year, your cover under the plan will cease.

You must notify Cornmarket at least four weeks in advance of the commencement of unpaid leave.

You are allowed to extend beyond the 26 weeks without paying premiums if you take unpaid leave under more than one of the categories above. This option does not apply to members in the Voluntary Life Assurance Plan.

Should members in the Voluntary Life Assurance Plan take unpaid leave extending beyond 26 weeks, Cornmarket must be notified in order for unpaid leave options to be issued to you.