



## Polasaí agus Nósanna Imeachta/Policies and Procedures

<b>Code</b>	QA118
<b>Title</b>	Maternity Leave
<b>Policy Owner</b>	Director of Human Resources
<b>Date</b>	25/03/2014; Latest review date: 18/09/2023
<b>Approved By</b>	University Management Team

### **1.0 Purpose**

To provide maternity benefits which comply with both the letter and the spirit of the law on maternity rights and are in excess of these statutory requirements. This policy aims to inform employees of their contractual and statutory maternity rights, and to ensure that those rights are understood. It states the University's policy on maternity leave and pay available to all eligible employees and provides additional guidance on issues surrounding maternity leave.

### **2.0 Description**

This policy applies to all pregnant employees, regardless of their length of service and entitlement to statutory maternity benefits and is supported by an Operating Procedure which forms part of the approved policy.

### **3.0 Leave Entitlements**

An employee is entitled to 26 weeks paid leave plus public holidays falling within the period plus option to take 16 weeks unpaid leave, unless they are on a fixed term/fixed purpose contract in which case when the contract ends, the maternity leave will also end. Maternity leave must commence at least 2 weeks but not more than 16 weeks before the end of the expected week of childbirth and must extend for at least 4 weeks after birth.

### **4.0 Maternity Pay**

An employee taking maternity leave will receive maternity pay, starting from the first day of leave, as follows:

- 26 weeks paid leave during which they will receive their normal rate of pay, minus the amount of any maternity benefit payment received from the state
- Up to 16 weeks unpaid leave (removal from payroll)

Payment during the first 26 weeks comprises contractual maternity pay provision and any Statutory Maternity Benefit to which the employee is entitled. Employees that satisfy the employment and earnings rules set by the Department of Social Protection will be entitled to maternity benefit for a maximum period of 26 weeks.

Maternity benefit is paid directly to the employee on a weekly basis so that they receive the tax benefit directly. University of Galway pay full salary as normal, less this amount. If the amount due is less than the Social Welfare Maternity Benefit provision, only the Social Welfare Maternity Benefit will be payable. Maternity pay is subject to the condition that no work is undertaken during the paid period of leave.

### **5.0 Public Holiday and Annual Leave Entitlements**

An employee is entitled to public holidays occurring during maternity leave and unpaid leave following maternity leave. Annual leave will also continue to accrue. Job share/part-time employees are entitled to public holidays on a pro rata basis.



An employee should take all annual leave for a given leave year during that year where possible. Where an employee cannot take all of their annual leave for a given leave year due to taking maternity leave during the period, they are allowed to carry any untaken annual leave into the following leave year. A plan should be put in place with the line manager to use all carried annual leave as soon as possible following the employee's maternity leave period.

## **6.0 Sick Leave**

Where an employee is medically certified as being absent from work due to pregnancy-related illness prior to going on maternity leave, the University's Sick Leave Policy will apply. The absence will be counted as normal sick leave when determining whether or not a staff member goes onto half pay where they have exhausted their entitlement to full pay while on sick leave.

Where the staff member continues on sick leave after their maternity leave or alternatively becomes ill at some time thereafter, the period which was certified as "pregnancy-related illness" will not count towards the staff member going off pay in accordance with the Sick Leave Scheme. Once a staff member commences maternity leave, absences as a result of "pregnancy-related illness" will be counted as normal sick leave and the normal conditions of the Sick Leave Scheme will apply.

## **7.0 Early or Stillbirth**

An employee whose child is born early will commence maternity leave and pay immediately. If a pregnancy ends in stillbirth after the 24<sup>th</sup> week of pregnancy, the employee remains entitled to maternity leave and pay commencing from the date of birth.

## **8.0 Benefits During Leave**

All terms and conditions of the employment contract continue during maternity leave. Where a contract reaches its end date during maternity leave then such terms and conditions will cease on that date.

## **9.0 Contact During Maternity Leave**

Reasonable contact between the Line Manager in the University and the employee on leave is encouraged to facilitate communication for example to discuss the employee's return to work or potential work related issues that may concern them. Such contact will not bring the maternity period to an end.

## **10.0 Health and Safety Assessment**

The Safety, Health and Welfare at Work (General Application) Regulations 2007, Part 6, Chapter 2, Protection of Pregnant, Post Natal and Breastfeeding Employees (The Pregnancy at Work Regulations) apply when an employee informs their employer that they are pregnant, has recently given birth or is breastfeeding and provides an appropriate medical certificate. A [Health and Safety Assessment](#) must take place in the pregnant employee's workplace under the Safety, Health and Welfare at Work Act, 2005. This must be done by the Manager/Unit Safety Co-ordinator as soon as the employee advises their Manager in writing that they are pregnant. As the earliest stages of pregnancy are the most critical ones for the developing child it is in the employee's best interest to let their employer know they are pregnant as soon as possible.

## **11.0 Breastfeeding**

An employee is entitled to time off work without reduction in pay for up to one hour every day to either breastfeed or express breastmilk for up to two years following the birth of the child.

A map of on-campus family friendly facilities is available on the [Buildings and Estates Office website](#).



## 12.0 Ante-natal Appointments

An employee is entitled to time off with pay in order to attend ante-natal appointments, which may include a set of ante-natal classes (with the exception of the last three which are normally after child birth) over all their pregnancies. The Line Manager may require them to produce an appointment card from their clinic. Employees are also entitled to take paid time off for medical visits related to the pregnancy for 14 weeks after the birth.

## 13.0 Postponing Maternity Leave

An employee has the right to request to postpone maternity leave in the event of hospitalisation of the child. The maximum amount of time leave can be postponed for is six months. The University has the right to refuse the application. An employee may decide to cancel additional maternity leave and may do so by notifying the University in writing at least four weeks before the end date of the leave. If the employee should become ill during additional maternity leave, this leave may be cancelled and an employee may be considered on sick leave on notifying the University immediately.

## 14.0 Maternity Leave Application Procedure

1. The employee must submit a completed University of Galway [Maternity Leave Application Form](#) and a letter from a medical practitioner confirming when their baby is due to the HR Office at least six weeks in advance of proposed commencement date of maternity leave.
2. The Employee must also submit a [maternity benefit application](#) to the Department of Social Protection. The HR Office will complete form MB2, which is needed in support of the benefit application. (Employees who are pre 1995 and are on class D PRSI do not need to submit a benefit form. A letter from their doctor confirming the due date of the baby is required.)
3. An employee must forward notification from Social Welfare confirming the amount of benefit they will receive, otherwise full benefit will be deducted (this is currently valued at €274 per week).
4. The HR Office will confirm dates of maternity leave by email to the employee and copy the line manager on processing of the application within 10 working days.
5. In the case of early or stillbirth the employee must submit a letter to the HR Office from their doctor stating the date that the baby was born. A copy of this letter must be submitted to Social Welfare.
6. If an employee wishes to take unpaid leave following maternity leave, they must notify the HR Office in writing at least four weeks before the 26-week maternity leave period is due to expire.
7. Employees availing of ante-natal appointments, must notify their employer in writing of date and time of appointment not later than two weeks before the date of the appointment.

## 15.0 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

## 16.0 Related Documentation

- [Maternity leave application form](#)



- [Maternity benefit application form](#)
- [Manager's Guide to Effectively Managing Maternity Leave](#)

## 17.0 Appendix

- Maternity leave resources and supports (below)



## Appendix: Maternity Leave Resources and Supports

### Breastfeeding Group

The University Women's Network with the help of La Leche League, Cuidiú and other colleagues facilitate a monthly on campus group to provide peer-to-peer support for breastfeeding mothers. The group meets on the third Wednesday of every month (during term time only) from 12 - 2 pm in the River Room AS203. All mothers, babies, toddlers, expectant women, grandmothers, and female supporters are most welcome to attend. Please contact [claire.withey@universityofgalway.ie](mailto:claire.withey@universityofgalway.ie), [oonagh.meade@universityofgalway.ie](mailto:oonagh.meade@universityofgalway.ie) or [rachel.hilliard@universityofgalway.ie](mailto:rachel.hilliard@universityofgalway.ie) for further information or to join the mailing list.

### Family-Friendly Facilities

The University is expanding its family-friendly facilities on campus. The Buildings and Estates Office have developed a [map of nursing and changing rooms](#) which may be useful.

### Grants for Academic Staff

The Office of the Vice-President for Equality, Diversity and Inclusion manage a number of grants for Academic staff members who have taken maternity leave. For more information please see the "Maternity/Carer's Leave Supports" section of their [webpage](#).

### Maternity Matters: Return to Work Training

The Office of the Vice-President for Equality, Diversity and Inclusion provides the above training workshop for staff on their return from maternity leave. This is facilitated by an external trainer and generally runs in January and June each year. For more information please contact [OVPEDI@universityofgalway.ie](mailto:OVPEDI@universityofgalway.ie).