



Maynooth University  
Human Resources  
Office

---

# Force Majeure Policy

<b>Author / Policy Owner:</b>	Human Resources
<b>Creation Date:</b>	September 2015
<b>Review Date:</b>	2 <sup>nd</sup> May 2018 – Inter Union Group Meeting with HR
<b>Version:</b>	December 2024
<b>Scope:</b>	This policy applies to all Maynooth University employees.

## Revision History

Date of this revision: December 2024	Date of next review: December 2025
--------------------------------------	------------------------------------

## Table of Contents

Relevant Information .....	3
Glossary of Terms .....	4
Section One .....	5
1. Policy Statement .....	5
1.1. Eligibility for Force Majeure Leave .....	5
1.2. Leave Entitlement.....	5
1.3. Terms and Conditions of Employment.....	5
1.4 Protection from Penalisation .....	5
Section Two .....	6
2. Applications .....	6
2.1. Applying for Force Majeure Leave .....	6

## Relevant Information

Parental Leave Act 1998

Parental Leave (Amendment) – 2006

European Union (Parental Leave) Regulations 2013

## Glossary of Terms

<b>Force majeure leave</b>	Force majeure leave is a limited period of paid time off granted to employees employed by the University under a contract of employment, where for urgent family reasons owing to the injury or illness of an immediate family member or individual with whom the employee resides in a relationship of domestic dependency, the immediate presence of the staff member at the place where that person is, is indispensable.
<b>Immediate family member</b>	Immediate family members are defined as:  Child/adoptive child of an employee; Spouse, civil partner or person with whom the employee is living as husband and wife or as civil partners; Persons to whom the employee is in loco parentis; Brother or sister of an employee Parent or grandparent of an employee; Persons who reside with the employee in a relationship of domestic dependency (i.e. if in the event of injury or illness, one reasonably relies on the other to make provision of care).

## **Section One**

### **1. Policy Statement**

Maynooth University wishes to support employees in so far as possible in the event of unfortunate and unforeseen family emergencies. In such circumstances, employees are provided with a number of paid days leave (force majeure leave) to deal with emergencies that result from the injury or illness of a family member or of an individual with whom they reside in a relationship of domestic dependency.

#### **1.1. Eligibility for Force Majeure Leave**

- 1.1.1. All employees are entitled to force majeure leave.
- 1.1.2. There is no minimum service period for an employee to take force majeure leave.

#### **1.2. Leave Entitlement**

- 1.2.1. An employee is entitled to paid leave up to a maximum of three days in any twelve consecutive months or five days in any thirty-six consecutive months in circumstances where, owing to the injury or illness of an immediate family member or an individual with whom the employee resides in a relationship of domestic dependency, an unforeseen emergency arises that renders the employee's presence indispensable. Absence for part of a day is counted as one day of Force Majeure leave.
- 1.2.2. Force Majeure will be applied to part-time employees on a pro-rata basis.
- 1.2.3. Routine and predictable illnesses will not generally be covered by force majeure leave; it is the unforeseen and sudden nature of the illness or condition which will dictate the right to take force majeure leave.

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

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

- 1.3.1. During force majeure leave, an employee will be treated as if they had not been absent from work.
- 1.3.2. Absence on force majeure leave counts as reckonable service for the purposes of any other leave to which an employee is entitled, such as annual leave, public holidays, or sick leave.
- 1.3.3. Absence from work on force majeure leave may not be treated as part of any other leave to which an employee is entitled.

#### **1.4. Protection from Penalisation**

- 1.4.1. An employer cannot penalise an employee for exercising or proposing to exercise an entitlement to Force Majeure leave. Penalisation could include dismissal, unfair treatment of the employee, including unfair selection for redundancy, or an unreasonable change to an employee's terms and conditions of employment.

## Section Two

### 2. Applications

#### 2.1. Applying for Force Majeure Leave

- 2.1.1. By its very nature, prior notice does not arise in the case of force majeure leave. However, an employee must contact the Head of Department or their nominee as early as possible on the day of the emergency to notify them of absence or discuss their need to leave work immediately
- 2.1.2. An employee who has availed of the leave must, as soon as is reasonably practicable thereafter complete a [Force Majeure application form](#), available on the University's [HR website](#).
- 2.1.3. The employee should specify the date on which such leave was taken and the reason for the leave, providing details of the emergency either to their Head of Department or their nominee.
- 2.1.4. 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.
- 2.1.5. Separately, the employee should record the leave on Employee Self Service

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@mu.ie](mailto:humanresources@mu.ie) **W** [maynoothuniversity.ie](http://maynoothuniversity.ie)