



Maynooth University  
Human Resources  
Office

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# Maternity Leave Policy

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<b>Scope:</b>	This policy applies to all employees who are employed under a contract of employment and who are pregnant, have recently given birth, or are breastfeeding up to 104 weeks after the birth.

## Revision History

Date of this revision: December 2024	Date of next review: December 2025
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## Relevant Information

Maternity Protection Act 1994

Maternity Protection (Amendment) Act 2004

Maynooth University Parental Leave Policy

Maynooth University Paternity Policy

Maynooth University Health and Safety Policy

## Glossary of Terms

<b>Pregnant employee</b>	An employee who is employed under a contract of employment, pregnant and has informed the University of their pregnancy.
<b>Employee who has recently given birth</b>	An employee who is employed under a contract of employment, has given birth within the previous 14 weeks and has informed the University of this.
<b>Breastfeeding/ Nursing employee</b>	An employee who is employed under a contract of employment, has given birth within the previous 26 weeks, is breastfeeding and has informed the University of this.
<b>Father or other parent</b>	Father of the child or spouse/partner of the mother (other parent).

## **Section One**

### **1. Policy Statement**

As an equal opportunities' employer, Maynooth University is committed to supporting employees who are pregnant, have recently given birth, or are breastfeeding, and wish to avail of maternity leave. The University provides maternity leave and other related supports in line with its obligations under the Maternity Protection Acts 1994 and 2004, which afford certain rights and entitlements to all employees, including Expectant Fathers employed under a contract of employment.

### **2. General Principles**

The University provides employees who wish avail of maternity leave and other related supports under the Maternity Protection Acts 1994 and 2004 with the following:

- Paid time off to 26 weeks maternity leave;
- An additional 16 weeks unpaid maternity leave;
- Paid time off to attend for ante and post-natal care;
- Paid time off to attend ante-natal classes;
- Paid health and safety leave where appropriate;
- Paid time off/breaks for breastfeeding purposes;
- Return to work supports.

### **3. Leave Entitlements**

#### **3.1. Maternity and related Leave**

- 3.1.1. Employees are entitled to 26 weeks paid maternity leave, at least two of which must be taken before the end of the week of the baby's expected due date and four of which must be taken after the birth.
- 3.1.2. If an employee's baby is born earlier than two weeks before the expected due date and before maternity leave has commenced, then the maternity leave will begin on the day of the birth.
- 3.1.3. In the event of a premature birth, the employee may be entitled to extended maternity leave.
- 3.1.4. Immediately after the 26 weeks maternity leave has ended, employees may take up to 16 weeks additional unpaid maternity leave.
- 3.1.5. In the unfortunate circumstance of a miscarriage up to and before the 24<sup>th</sup> week of pregnancy, the employee will not have access to maternity leave. If required, they will be able to refer to other suitable leave policies (sick leave, compassionate leave). The employee may avail of maternity leave (including additional leave) for any birth from the 25<sup>th</sup> week onwards.
- 3.1.6. Employees employed under a fixed-term or a specified purpose contract of employment, are entitled to maternity leave for the period of the fixed term or specific purpose, as set out in their contract of employment. Any entitlement to leave and payment for same shall last only as long as the term of their contract of employment.
- 3.1.7. Fathers/other parent can take paternity leave in the first 6 months after a child is born (or placed). See summary of leave entitlements at section 3.7 of this policy.

3.1.8. In such rare circumstance of the mother's death, the remaining maternity leave may be transferred to the father/other parent. In this circumstance, they should contact Human Resources directly for specific advice and support on this provision.

3.1.9. 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.

### **3.2. Health and Safety leave**

3.2.1. The University will ensure that a risk assessment is carried out in a timely manner for all pregnant employees, employees who have recently given birth and/or who are breastfeeding. The Health and Safety office will facilitate the risk assessment process. It is important, therefore, for employees to advise the University of their pregnancy at their earliest convenience.

3.2.2. In the unlikely event that a risk is identified, the Health and Safety Officer will contact a member of the HR team who may recommend one of the following:

- Temporarily adjust the employee's working conditions or working hours;
- Transfer the employee to another department;
- Commence paid health and safety leave.

3.2.3. Health and safety leave is paid leave for up to 3 weeks from commencement of this leave. For leave in excess of 3 weeks, the employee may be entitled to claim Health and Safety Benefit from the Department of Social Protection.

### **3.3. Arrangements for paid time off for ante/post-natal medical care**

3.3.1. Employees are entitled to attend medical or related ante/post-natal care.

3.3.2. The employee will give the University at least two weeks' notice, where possible, of their ante/post-natal appointments. The University is entitled to request verification of the appointments.

### **3.4. Arrangements for paid time off to attend ante-natal classes**

3.4.1. Pregnant employees are entitled to time off to attend one set of ante-natal classes.

3.4.2. The father/other parent will be entitled to attend the last two ante-natal classes attended by the expectant mother of their child.

### **3.5. Arrangements for breastfeeding**

3.5.1. For up to two years after giving birth, employees who are breastfeeding that return to work during this period are entitled to a paid reduction in working hours of one hour per day or a break of one hour per day to express breastmilk in the workplace. The one-hour break may be split into shorter periods of time based on the employee's preference.

3.5.2. A rest room is provided for pregnant employees and breastfeeding/nursing parents in the School of Education (room 015 on the ground floor). The Health & Safety Office can provide access to this facility.

3.5.3. Employees should advise the Human Resources office if they require this time and avail of the University's facilities, prior to returning to work.

### **3.6. Terms and conditions of employment during the Maternity Leave**

3.6.1. During maternity leave (including additional maternity leave), an employee's continuity of employment in respect of any rights (whether statutory, contractual or otherwise) are preserved.

3.6.2. In addition to Statutory Maternity Benefit pay, the University provides employees with their normal salary on a 'top-up' basis for the duration of the 26 weeks paid maternity leave. To receive the benefit of paid maternity leave, an employee must claim Social Welfare Maternity Benefit at least four weeks before the commencement of their maternity leave.

3.6.3. The University will then pay the employee their full salary, less their Social Welfare Maternity Benefit entitlements for the duration of the 26 weeks paid maternity leave. Employees working on a part-time or job share basis, and those availing of special administrative arrangements for the payment of salary for Shorter Working Year, receive the benefit of paid maternity leave on a pro-rata basis.

3.6.4. Accrued annual leave and public holidays are taken immediately following all of the maternity leave (paid and unpaid) and prior to returning to work.

3.6.5. If an employee is on their probationary period, this will be suspended during the maternity leave (paid and unpaid).

### 3.7. Applying for Maternity and related Leave

3.7.1. As soon as practicable, and not later than four weeks before their maternity leave is due to start, an employee who intends to take maternity leave must notify the University accordingly by submitting an [application for maternity leave](#), to their Head of Department or their nominee and subsequently to Human Resources. In addition, the employee should provide Human Resources with a copy of a medical certificate confirming their pregnancy and the expected date of confinement.

3.7.2. Once the employee's maternity leave request has been processed and dates confirmed, the Human Resources office will liaise with the employee directly to take any necessary follow-up action, including making arrangements for the completion of the employee's [Social Welfare Maternity Benefit Form \(MB1\)](#), with the Health and Safety office to facilitate the requisite workplace risk assessment and with the Head of Department on associated matters.

3.7.3. If an employee wishes to take additional (unpaid) maternity leave, parents leave or parental leave, they should notify Human Resources and their Head of Department accordingly, in writing as soon as practicable, and not later than the dates set out in the maternity leave confirmation letter. A summary of available leave is included below.

Leave Type	Who may avail of it?	Duration	Salary impact
Maternity leave	Pregnant employees	26 weeks paid leave, and up to 16 weeks unpaid leave.	Maternity Benefit is paid for 26 weeks. The University pays your salary minus maternity benefit.
Adoptive Leave	One parent of the adopting couple (the nominated parent) or a parent who is adopting alone	24 weeks paid leave, and up to 16 weeks unpaid leave	Adoptive Benefit is paid for 24 weeks. The University pays your salary minus adoptive benefit



<a href="#">Paternity leave</a>	New parents of children under 6 months of age (usually the father or the partner of the mother, or in the case of adoption, the parent who is not taking adoptive leave)	2 weeks	Paternity Benefit is paid for 2 weeks. The University pays your salary minus paternity benefit.
<a href="#">Parental leave</a>	Parents and guardians of children under 12	26 weeks	Unpaid leave.
<a href="#">Parent's leave</a>	Parents of children under 2 years of age  Parents of adopted children in the first 2 years of the placement of the child	9 weeks	Parent's Benefit is paid for 9 weeks. Maynooth University does not pay your salary during this time.

### 3.8. Returning from Maternity Leave

- 3.8.1. Following maternity leave (including related leave), employees have a right to return to their original post under terms and conditions no less favourable than those that would have been applied if they had not been absent on such leave.
- 3.8.2. The right to return to work does not extend to employees whose fixed-term or specified-purpose contracts of employment come to an end during such leave. In such cases, it will be clarified by Human Resources that their contract will end, prior to the employee taking their maternity leave.

## **Section Two**

### **4. Changing Agreed Maternity Leave Dates**

#### **4.1. Hospitalisation of the Child**

- 4.1.1. The period of maternity leave and/or additional unpaid maternity leave can be postponed by the employee and they can return to work, subject to the agreement of the University, in the event of the hospitalisation of the child.
- 4.1.2. The maximum amount of time that the maternity leave can be postponed for is six months and leave can only be postponed if 14 weeks maternity leave has been taken.
- 4.1.3. Once the child is discharged from hospital, the employee can re-commence their maternity leave within seven days.
- 4.1.4. Employees who have to postpone their maternity leave in such circumstances outlined above should contact the Human Resources office directly for further advice and guidance.

#### **4.2. Illness of the Employee**

- 4.2.1. Subject to the University's agreement, an employee may terminate the additional (unpaid) maternity leave in the event of illness. Medical certification will be required in this instance.
- 4.2.2. In such instances, the employee should contact the Human Resources office directly for further advice and guidance.

#### **4.3. Early Return or Resignation from Maternity Leave**

- 4.3.1. If an employee wishes to return to work prior to the agreed end date of their maternity leave (paid and/or unpaid), they must notify the Human Resources office accordingly in writing with a minimum of four weeks' notice, specifying their return to work date. Employees should note that at least four weeks maternity leave must be taken following the birth of a child.
- 4.3.2. If an employee does not wish to return to work after their maternity leave (paid and unpaid), they must provide the appropriate notice of resignation (as stipulated in their contract of employment) in writing to their Head of Department and the Human Resources office.

## Section Three

### 5. Additional Maternity Related Supports

The University recognises the importance of supporting employees who are pregnant, have recently given birth, or are breastfeeding. Human Resources may be contacted for practical advice and guidance in relation to various supports that can be facilitated by the University in line with this policy to assist employees through their pregnancy, maternity leave and transition back to work in a proactive and positive manner. The types of support available to employees are as follows;

- Ante/post-natal care absence;
- Paid time off for breastfeeding/nursing parents;
- A rest room is provided for pregnant employees and breastfeeding/nursing parents in the School of Education (room 015 on the ground floor). The Health & Safety Office can provide access to this facility;
- The University has a range of wellbeing supports and resources available for employees, details available on <https://www.maynoothuniversity.ie/human-resources/employee-wellbeing>
- Inspire Workplace Services (employee assistance programme) – this service provides a confidential counselling service, designed to assist employees in dealing with any issue that adversely affects their health, wellbeing, personal or professional life. Details of the service are available on <https://www.inspiresupporthub.org/index.php> , or contact 1800 201 346.
- **Athena Swan Initiative:**
  - **Academic staff** with both teaching and research responsibilities may apply to their Head of Department for a research exclusive period directly following their maternity or adoptive leave. This teaching free /research period will be supported by the University through the extension of the replacement teaching arrangements where the academic staff member's return to work falls within a teaching period. Further details are available [here](#).
  - **Staff without teaching responsibilities** may avail of 4 weeks 'handover' period where replacement cover is in place, taken in 2-week blocks before and after the maternity/adoptive leave. Further details are available [here](#).
- Other useful information, resources and supports, including access to Parents and Carers networks, are available on the University [Equality & Diversity](#) website.

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)