

# Maynooth University Parent's Leave Policy

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## Relevant Information

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

## Revision History

Date of this revision: December 2024	Date of next review: December 2025
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## **1. Introduction**

- 1.1. The Parent's Leave and Benefit Act 2019 amended by the Family Leave and Miscellaneous Provisions Act 2021 provides nine weeks from the 1<sup>st</sup> August 2024, 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, maternity leave, adoptive 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 1<sup>st</sup> 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 transferrable between relevant parents who are both employees of the University.
- 4.2. Employees employed under a fixed-term contract are entitled to Parent's Leave for the period of the fixed-term. Parent's leave exceeding the duration of the fixed-term will conclude on expiry of the fixed-term contract.

## **5. Leave Entitlements**

- 5.1. Parent's leave entitles each parent to 9 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. In the event of multiple births or multiple adoptions at the same time, the total entitlement to parent's leave shall not exceed nine weeks.
- 5.3. 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.
- 5.4. An employee on maternity/adoptive leave may take their parent's leave once their standard maternity/adoptive leave has concluded. If the employee avails of additional (unpaid) maternity/adoptive leave, they may take the parent's leave after both periods of maternity/adoptive leave have concluded. Parent's leave is separate to maternity/adoptive leave. Parent's leave cannot start while you are on maternity/adoptive leave, but can start from the day this leave ends. An employee may include an application for parent's leave in their maternity/adoptive leave application or make a separate application if they have not applied for parent's leave in their maternity/adoptive leave application.
- 5.5. Accrued public holidays on Parent's leave, must be taken immediately following the parent's leave. Where parent's leave follows on from Maternity / Adoptive leave, public holidays accrued on Maternity/Adoptive leave must also be discharged on conclusion of the Parent's Leave.
- 5.6. A parent remains entitled to parent's leave if their child passes away during the period they are eligible for the leave. In the event of one parent's death, the remaining leave entitlement to parent's leave will transfer to the surviving parent. In these circumstances, they should contact Human Resources directly for specific advice and support on these provisions.

## **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 employee's 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 their 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. 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 Parents Leave should be submitted to Human Resources ([humanresources@mu.ie](mailto:humanresources@mu.ie)) at least six weeks before the date the employee intend 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 by completing the application form available on the [HR website](#);
- 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 Parents 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.
- An employee may revoke their application for parent's leave by notifying their manager and the Human Resources office in writing.

## **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 will be 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.

11.7. An employer cannot penalise an employee for exercising or proposing to exercise their entitlement to parent's leave. Penalisation may include dismissal or unfair treatment of the employee, including unfair selection for redundancy or unfavourable change to an employee's terms and conditions of employment.

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