

## Parental Leave

<b>HR Policy Document Record</b>	
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Notes	<p>September 2019: Amendments to 1.5, 2.1, 2.5, 3.1, 3.3, 3.4, 3.5, 4.3 and application form to reflect new entitlements effective from 1<sup>st</sup> September 2019 and operational processes</p> <p>February 2020: 5.6 Included Parent's Leave</p> <p>April 2021: Amended 5.6 Parent's Leave</p> <p>January 2022: Update of Employer Registration number</p> <p>July 2022: Amended 5.6 Parent's Leave</p>

## 1. POLICY AND SCOPE

- 1.1 This policy is governed by various circular letters issued by the Department of Education and Skills and current Parental Leave legislation which provides for a staff member who is either a parent or in a position of loco parentis of a child, to take approved **unpaid** leave of absence to care for the child.
- 1.2 This policy is intended to provide staff with details on the eligibility and entitlements to Parental Leave, the periods of notification for Parental Leave, the patterns of Parental Leave that will be considered by TU Dublin and the staff member's rights whilst on Parental Leave.
- 1.3 It is a condition of Parental Leave that it is used for the care of the eligible child concerned.
- 1.4 Human Resources will retain all data relating to Parental Leave in as confidential a manner as is practical.

## 2. ELIGIBILITY AND ENTITLEMENTS

- 2.1 From 1 September 2019, a parent is entitled to take a total of **22 working weeks (110 days) unpaid leave** per eligible child. From 1 September 2020, this entitlement will increase to **26 working weeks (130 days) unpaid leave** per eligible child.
- 2.2 The age limit in respect of whom staff may take Parental Leave in the University is 15 years and the entitlement expires once the child reaches their 16<sup>th</sup> birthday. These age limits are applicable in all cases including for parents of children with a disability or long-term illness and in the case of adoption.
- 2.4 All staff must have completed one year's continuous service with the University before the commencement of Parental Leave. Where the child is approaching their 16<sup>th</sup> birthday and the staff member has more than 3 month's but less than one year's continuous service, there is a provision for pro-rata Parental Leave.
- 2.5 Where a parent has an entitlement to Parental Leave in respect of more than one child, the leave period cannot exceed 22 weeks in any 12 month period unless by agreement with the University. In the event of a multiple birth, this restriction does not apply.
- 2.6 Parental Leave is non-transferable between the parents, except where both parents work for the University and subject to the University's agreement.

## 3. APPLICATION PROCEDURE AND GUIDELINES

- 3.1 The staff member must communicate to their manager their intention to take Parental Leave. The staff member and the manager should consider the intended start date, the duration and pattern of the leave and alternative arrangements for the carrying out of the duties of the staff member's role.
- 3.2 If the manager is concerned that the absence of the staff member during the period in question would have an adverse effect on the overall work of their department/function, the commencement of the Parental Leave can be postponed for a period not exceeding 6 months. In such cases, staff will be consulted and the University will supply a "statement in summary" of the reason for postponement.
- 3.3 Once arrangements are agreed between the staff member and the manager, the **Notice of Intention to take Parental Leave** form must be completed and submitted to Human Resources who will confirm the arrangements in writing. This form should be submitted at least

**6 weeks** prior to the expected commencement of the period of Parental Leave. A copy of the child's birth certificate / adoption order must be provided. The **Notice of Intention to take Parental Leave** form can be found at the end of this policy.

- 3.4 Where Parental Leave is approved and confirmed in writing to the staff member by Human Resources, requests to adjust the period and/or pattern may be accommodated in exceptional circumstances only.
- 3.5 Parental Leave may be backfilled on a specified purpose basis. Such contracts will cease when the Parental Leave period ends. Backfill appointments must be cost-neutral.

#### **4. PATTERN OF PARENTAL LEAVE**

- 4.1 There is a statutory entitlement to Parental Leave on a **block basis**. The 22/26 weeks per child may be taken in one continuous block or in two separate blocks of a minimum of 6 weeks.
- 4.2 With prior approval of the manager and Human Resources, the following patterns may be granted:

<b>Professional, Management &amp; Support Staff:</b>	Minimum half day per week*
<b>Academic:</b>	Minimum half day per week*
<b>Hourly Paid:</b>	Will be considered on a case by case basis

*\* Under no circumstances will non-block parental leave be granted based on hours i.e. the pattern must be at half day and/or full day.*

- 4.3 Where an employee has already taken parental leave prior to the commencement of the Act and intends taking a further period of parental leave in blocks of not less than one week, the employee can give (a) one notice specifying a continuous period of leave to be taken, (b) one notice specifying multiple periods of parental leave or (c) a separate notice for each period of parental leave proposed to be taken.

#### **5. PROTECTION OF EMPLOYEE RIGHTS**

- 5.1 During a period of parental leave employment rights, except the right to remuneration and superannuation benefits, are unaffected.
- 5.2 The staff member is entitled to return to the same job, under the same conditions as before the Parental Leave commenced. Where, for operational reasons, this is not practicable, a suitable alternative will be provided.

##### **5.3 Annual Leave**

In the case of professional, management and support staff, Annual Leave will continue to be accrued while on Parental Leave. Where closure days fall during the Parental Leave period, these days (half day or full day as appropriate) will be added to the end of the Parental Leave period.

In the case of academic staff, leave in lieu of statutory Annual Leave occurring while on Parental Leave will be comprehended through days at Easter, Summer and Christmas when there are no lectures/teaching/assessments as per the University's Academic Calendar (i.e. outside of term time).

##### **5.4 Public Holidays**

Where public holidays fall during the Parental Leave period, these days (half day or full day as

appropriate) will be added to the end of the Parental Leave period.

#### 5.5 **Sick Leave**

If a staff member becomes ill while on Parental Leave and as a result is unable to care for the child, the Parental Leave can be suspended for the period of the sick leave and recommenced afterwards. The can be facilitated where requested by the staff member and once medical certification is provided.

#### 5.6 **Parent's Leave**

Parent's Leave was introduced on 1st November 2019 and is provided for under the Family Leave and Miscellaneous Provisions Act 2021. Parent's Leave increased from 5 to 7 weeks for children born or adopted after 1<sup>st</sup> July 2022. Parents can claim the additional 2 weeks' parent's leave if their child is under the age of 2 on 1<sup>st</sup> July 2022 or the adopted child has been placed with the family less than 2 years on 1<sup>st</sup> July 2022. This allows each parent either five or seven weeks leave for children born or adopted on or after 1st November 2019 and must be taken during the first two years of a child's life. TU Dublin will not pay salary for the period of Parent's Leave and accordingly, salary will be adjusted in the month after the leave is taken. Parent's Benefit is payable by the Department of Employment Affairs & Social Protection if sufficient pay social insurance (PRSI) contributions have been paid. The quickest way to apply for Parent's Benefit is online at [www.mywelfare.ie](http://www.mywelfare.ie). When making an application for Parent's Benefit the employer's registration number may be required. TU Dublin's employer's registration number is 3575435CH.

If you are unable to apply online, the Parent's Benefit application form can be requested from the Parent's Benefit Section by calling 1890690690 or by email at [parentsben@welfare.ie](mailto:parentsben@welfare.ie). Parent's Leave can be taken in a seven week block or in blocks of one week. It is not transferable between Parents.

Parent's Leave should be applied for in writing to Human Resources at least 6 weeks in advance of the intended commencement of the leave and must indicate the expected date of commencement and duration of the leave. Line Managers should also be given a copy of the written request for the leave.

**Please note during the COVID-19/Working from home period, communication must be submitted to HR by email as staff are working from home and unable to process posted applications.**

#### 5.6 **Superannuation (Pension)**

Periods of unpaid Parental Leave are non-reckonable for superannuation purposes. With effect from [9 February 2018 arrangements on "Pension Accrual for Parental Leave"](#) as set out by the Remuneration, Industrial Relations and Pensions Division will apply. Further information is available from Pensions on your host campus.

5.7 To ensure preservation of social insurance records, staff should contact the Department of Employment Affairs & Social Protection to ensure that appropriate credits are made during a period of Parental Leave.

## 6. **QUERIES**

**Contact:** Leave and Benefit Team

**E-Mail:** [Leaveandbenefits@tudublin.ie](mailto:Leaveandbenefits@tudublin.ie)

## NOTICE OF INTENTION TO TAKE PARENTAL LEAVE



Name (in print): Staff No.: \_\_\_\_\_

Child's Name: Child's Date of Birth: \_\_\_\_\_

Commencement Date of \_\_\_\_\_

Employment: Function/School: \_\_\_\_\_

Home/Mobile Contact No: \_\_\_\_\_

**Periods of Parental Leave already taken in respect of this child with the University and/or previous employer(s):**

(with the University): \_\_\_\_\_

(with another employer): \_\_\_\_\_

**A copy of the child's birth certificate / adoption order is attached (this is a requirement):**

Before completing the next section, these matters must be discussed and agreed with your manager.

Commencement Date of Parental Leave: \_\_\_\_\_

Pattern of Parental Leave: \_\_\_\_\_

\_\_\_\_\_

Cessation date of Parental Leave: \_\_\_\_\_

It is a condition of Parental Leave that it is used for the care of the child concerned. I understand that this parental leave may be terminated if it is not used for this purpose and note that I may be subject to disciplinary action if found to be abusing this leave.

I have read and understand the TU Dublin policy and procedures for Parental Leave. I fully accept and agree to comply with same, and expressly the Superannuation (Pension) related implications.

**Signature of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**To be completed by Relevant Line Management** (This is the Head of School/Department/Function) I

certify that I have approved this parental leave in accordance with the TU Dublin Parental Leave policy.

\_\_\_\_\_  
Name (Printed): \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature:** Name (Printed): \_\_\_\_\_ **Date:** \_\_\_\_\_

**To be completed by HR**

I can confirm that this Notice of Intention to take parental leave will be processed in accordance with the TU Dublin Parental Leave policy.

Confirmed details of Parental Leave are:

**Commencement Date of Parental** \_\_\_\_\_ **Leave:**

**Cessation Date of Parental Leave:** \_\_\_\_\_

**Signature of Head of HR or nominee / HR Manager:** \_\_\_\_\_

**Date:** \_\_\_\_\_