



Maternity Leave Policy

Policy owner: UCD HR

Approval date and body: UMT, 2 November 2021

1. Purpose

University College Dublin is committed to providing an inclusive and diverse environment in which all members of our community are valued and supported, both in the workplace and in their family life. As part of our University's commitment to equality, diversity and inclusion the University has a comprehensive suite of family-friendly initiatives and policies available to its employees. The UCD Maternity Leave Policy is one such policy that is intended to reflect the high value the University places on our employees. The purpose of this policy is to ensure that UCD employees are supported before, during and after their maternity leave.

2. Definitions

Maternity Leave

All pregnant employees, who reach their twenty-fourth week of pregnancy, are entitled to twenty-six weeks leave. This period of leave is known as maternity leave.

Additional Unpaid Maternity Leave

Employees, who are entitled to maternity leave, are also entitled to sixteen weeks additional unpaid leave immediately following their maternity leave. This sixteen-week period is known as additional unpaid maternity leave.

Extended Maternity Leave

Regardless of when an employee takes their maternity leave, they are required to take four weeks maternity leave after the birth of the baby. If an employee takes their maternity leave so late that fewer than four weeks are remaining in the twenty-six-weeks maternity leave, the employee is still obliged to take four weeks leave after the birth of the baby. This period is known as extended maternity leave.

Premature Birth

Premature birth shall be understood to be any birth(s) of less than thirty-seven weeks gestation.

Maternity Benefit

Maternity Benefit is a payment made to those on maternity leave from work and covered by social insurance (PRSI). Eligible employees are obliged to claim this benefit for the duration of their maternity leave.

Normal Salary

Normal salary shall be understood to mean the amount an employee receives each month/week, excluding any overtime, allowances or premiums, immediately before they begin their maternity leave. Allowances, premiums or any other payment that is in excess of the employee's salary, as per their

contract of employment, shall not be paid during a period of maternity leave or taken into account when assessing the employee's salary.

Mother

For the purposes of this policy, a mother shall be understood to be the employee who has given birth to the baby and/or is recorded as the mother of the baby in a register of births.

Father

A father shall be understood to be the biological father of the baby for the purposes of this policy.

Other Relevant Parent

The term 'other relevant parent' shall be understood to be the spouse, civil partner or cohabitant of the mother of the baby.

3. Scope

This maternity policy applies to all UCD employees who are in receipt of a salary under a permanent contract, a contract of indefinite duration (CID), or a fixed-term contract as defined in the Protection of Employees (Fixed Term Work) Act 2003 and who are entitled to benefit under the consolidated Maternity Protection Acts. 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.

4. Principles

UCD fosters a culture that embraces equality, diversity and inclusion for all individuals in our community. As such, the principle of equality shall be applied in the interpretation of this policy to ensure that all UCD employees are supported and treated equally before, during and after their maternity leave(s). Furthermore, an employee's absence from work while on maternity leave(s) will count for all employment rights associated with their employment such as annual leave and seniority.

It is the policy of the University to maintain eligible employee's salaries, subject to certain deductions¹, for the duration of maternity leave.

Any entitlement to leave and payment for same shall last only as long as the term of the employee's contract of employment.

4.1 Breach of the Maternity Leave Policy: Maternity leave(s) shall only be used for its intended purpose. Where the University has reasonable grounds for believing that an employee who is on any period of maternity leave is not using the leave(s) for its intended purpose, the leave(s) may be terminated, and an investigation may be carried out. Disciplinary action may be taken against employees found to be contravening this policy and/or other related policies and procedures.

5. Roles and responsibilities

The Manager should

- a) read this policy in conjunction with the Maternity Leave Procedure document and make themselves aware of their obligations;

¹ Maternity Benefit shall be deducted from the employee's salary at source.

- b) ensure a discussion takes place with the employee in preparation for the leave;
- c) sign any necessary documentation; and
- d) promote an environment of equality, diversity and inclusion which support family-friendly initiatives.

The Employee should

- a) read this policy in conjunction with the Maternity Leave Procedure document and make themselves aware of their obligations;
- b) provide reasonable notice to their manager in order to ensure they are supported;
- c) make themselves available, where possible, and engage fully with management in planning for the period of absence
- d) complete the relevant documentation within the timelines as set out in the Maternity Procedure Document and submit to the relevant parties;
- e) familiarise themselves with their obligation to claim Maternity Benefit; and
- f) follow UCD's Maternity Leave Policy and Procedure.

Human Resources should

- a) upon request provide advice to employees and their head of school/unit or nominee regarding the employee's entitlements and applications for maternity leave(s);
- b) process all applications for maternity leave(s) in a timely fashion and in an atmosphere of mutual trust and respect; and
- c) act with discretion when required and with due regard for the circumstances.

6. Related documents

Information on Maternity Leave, related policies and procedures can be found on the HR website at www.ucd.ie/hr/leave/maternityleave/.

7. Version history

Version	Date	Description	Author
5.0	April 2012	Policy Versioning Implemented	UCD HR
6.0	December 2012	Policy update to include Neonatal Death and Budget changes regarding Maternity Benefit subject to income tax	UCD HR
7.0	November 2014	Policy updated to confirm that unpaid maternity leave is not pensionable. This is effective for unpaid maternity leave commencing after 1 st December 2014.	UCD HR
8.0	December 2014	Section 3.1 made clearer	UCD HR
8.1	July 2017	References to Paternity Leave removed following the introduction of separate Paternity Leave policy	UCD HR
9.0	February 2019	Removal of the service requirement to receive paid maternity leave, update the rules around premature births and transfer policy to new format.	UCD HR
9.1	July 2020	Policy moved to new template	S Raleigh, UCD HR
9.2	May 2021	Link to new maternity leave page inserted	P. Fitzgerald, UCD HR

All policies and policy related documents and forms are subject to amendment. Please refer to the UCD Governance Document Library website for the official, most recent version.