

# Parent's Leave



**Policy owner** UCD HR      **Approval date and body** UMT, 5 December 2023

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## 1. Purpose

Parent's Leave was introduced in 2019 as part of the Parent's Leave and Benefit Act to provide time off for parents. Parent's leave is available to eligible Faculty and Staff to allow time off from work within the first 2 years of the birth or adoption of their child or the child of their spouse or partner.

Parent's leave is a statutory entitlement and compliments [UCD's family friendly policies](#).

## 2. Definitions

**Parent's Leave** provides 7 weeks statutory leave<sup>1</sup> for a relevant parent within the first two years of a child's life, or in the case of adoption, within 2 years of the placement of the child with the family. Parent's leave is available to each parent. Parents' leave is non-pensionable.

**Relevant Parent** in relation to a child means a person who is,

- 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;
- The spouse or civil partner of the adopting parent of the child (if the parents have not adopted the child together).

### Parent's Leave Benefit

Parent's leave is unpaid by UCD, however where enough PRSI contributions have been made, the parent will be entitled to a payment from the Department of Social Protection. If the relevant parent has received Maternity Benefit, Adoptive Benefit or Paternity Benefit for their child, they will automatically satisfy the PRSI contributions requirements for Parent's Benefit.

## 3. Scope

Parent's leave is available for all employees on a permanent contract, fixed term contract or a contract of indefinite duration (CID) and who are deemed to be the relevant parent of a child.

<sup>1</sup> 7 weeks entitlement as of 1 July 2022.

## **Service Requirements**

There are no service requirements to avail of Parents Leave.

## **4. Principles**

### **Applying for Parent's Leave**

Relevant parents are required to complete an "*Intention to take Parent's Leave*" form", provide at least 6 weeks' notice and provide a copy of the child's birth certificate, certificate of placement in the case of an adoption or other relevant documentation in relation to employees acting in loco parentis.

Parent's leave benefit must be claimed directly by the relevant parent from the Department of Employment Affairs and Social Protection.

Further information on the application process is available on the HR website, leave section.

### **Sequencing of Parent's Leave**

Parent's leave can be taken 1 week at a time or in a block up to the maximum amount of leave available at that time.

Parent's leave and maternity leave are separate types of leave. Parent's leave cannot start during paid or additional unpaid maternity leave but can start from the day after paid or additional unpaid maternity leave ends.

Multiple births. In the case of multiple births, or where 2 or more children are being adopted at the same time, only a single 7 week<sup>1</sup> entitlement of parent's leave applies.

### **Early Confinement**

Where the birth of the child occurs 4 or more weeks prematurely, the relevant parent, will be deemed to have complied with their notice of intention to take parent's leave obligations if notice is given in the period of 7 days commencing on the date of confinement.

### **Postponement of Parent's leave by UCD**

As outlined in the Parents leave legislation, in certain limited circumstances, UCD may need to exercise its right to postpone parent's leave for up to 12 weeks of the intended parent's leave commencement date. A postponement may arise where the Line Manager/Head of School/Unit or nominee, is satisfied that the taking of the parent's leave at the time specified in the notification form would have a substantial adverse effect on the operation of the school or unit by reason of:

- (a) seasonal variations in the volume of work concerned;
- (b) the unavailability of a person to carry out your duties during the period of the leave;
- (c) the nature of your duties;
- (d) the number of other colleagues availing of parent's leave during the period;

If this postponement results in the child reaching 2 years before the leave has been drawn down, the 104 weeks cap will be extended by up to 12 weeks.

### **Postponement of Parent's leave due to late birth/postponed adoption placement**

A relevant parent may postpone a period of parent's leave where the date of birth occurs after the date selected by a relevant parent in their notification to the company or where the date of placement is postponed in the case of adoption. The relevant parent may select another date on which parent's leave will commence.

### **Postponement of Parent's leave in the case of a child being hospitalised.**

If the child is hospitalised, the employee may request in writing to postpone all or part of their parent's leave. The postponed leave is to be taken not later than seven days after the discharge of the child from hospital or such other date as may be agreed between the relevant parent and the Line Manager/ Head of School/Unit or nominee.

## **5. Roles and responsibilities**

**The Line Manager/Head of School/Unit or nominee** has a responsibility to,

- Read this policy and make themselves aware of their obligations;
- Ensure a discussion takes place with the employee in preparation for the leave;
- Discuss the potential need for workload reallocation with the employee taking into consideration the reduction in their working hours;
- Sign any necessary documentation, and
- Promote an environment of equality, diversity and inclusion which supports family-friendly initiatives.

**The Employee** has a responsibility to,

- Read this policy and make themselves aware of their obligations;
- Provide reasonable notice to their manager in order to ensure they are supported;
- If availing of leave in a longer block period, engage with management to provide a handover to support during the period of leave.
- Complete the relevant documentation within the timelines as set out in Policy.

**Human Resources** has a responsibility to,

- Upon request, provide advice to employees and Line Managers/Heads of School/Unit or nominee regarding the employee's entitlements and application for Parent's Leave;
- Process all applications for Parent's Leave in a timely fashion and in an atmosphere of mutual trust and respect, and
- Act with discretion when required and with due regard for the circumstances.

## **6. Related documents**

- Intention to take Parent's Leave Form
- Parent's Leave and Benefit Act 2019
- Family Leave and Miscellaneous Provisions Act 2021

## 7. Version history

<b>Version</b>	<b>Date</b>	<b>Description</b>	<b>Author</b>
V 1.0	21 November 2023	Introduction of Policy	Employee Relations (UCD HR)