

Parental Leave Policy



Policy owner: UCD

Approval date and body UMT 9 April 2024

1. Purpose

The Parental Leave policy allows all parents (including those acting in loco parentis) to avail of unpaid time off work to enable them to spend time taking care of their child.

The Parental Leave Act, 1998 and the Parental Leave (Amendment) Act 2019, sets out a statutory entitlement to unpaid parental leave of 26 weeks.

Parental leave is now available for children up to the age of 16. This increase in age limit is available for **all children**, including parents of children with a disability or long-term illness and in the case of adoption.

UCD supports applications for parental leave and encourages parents to avail of this statutory entitlement while their child is the eligible age. If you are considering taking parental leave, you should speak with your Head of School/Unit/Line Manager.

UCD recognises that families are diverse, if you are unsure as to your eligibility to avail of parental leave or have queries in relation to the documentation required, please contact the hrhelpdesk@ucd.ie.

2. Definitions

Parental Leave Duration

26 weeks unpaid leave.

In the case of multiple births e.g. twins; the entitlement is up to 26 weeks for each child.

Who can avail of parental leave?

Parents, adoptive parents, guardians, and those acting in loco parentis.

Loco Parentis

An employee that is acting in Loco Parentis is either legally responsible for or fulfils the criteria that they are actively parenting the child on an on- going basis such as providing day to day care and responsibility for the child.

3. Scope

Service Requirements

All employees with continuous service of one year are eligible to apply for the full parental leave entitlements.

Employees who have less than one year's service are entitled to a pro-rata parental leave entitlement after three month's service in UCD, if the child is approaching the age threshold.

Parental leave is not considered to be pensionable.

Part Time

Part-time employees of UCD are entitled to 26 weeks unpaid parental leave on a pro-rata basis.

Age limits

Parental leave must be availed of in advance of the child turning *16 years of age.

*Effective date of increase in age limit is 9 April 2024.

Transferable parental leave.

Parental leave is non-transferable i.e., one parent cannot take the other parents leave and vice versa. However, in a case where both parents are employed by UCD, subject to the relevant Heads of School/Unit/Line Managers agreement, parental leave can then be transferred from one parent to the other. A maximum of 14 weeks of the parental leave entitlement per child may be transferred.

Postponement of parental leave

If an employee falls ill while on parental leave and as a result is unable to care for the child, parental leave may be suspended for the duration of the illness, and the period of parental leave can recommence once the employee has recovered.

UCD has the right to postpone commencement in cases where the leave could have an adverse effect on the University. Such a requirement will always be discussed with the employee before being put formally in writing. Notice of postponement will be given to the employee not later than 4 weeks before the proposed commencement of the parental leave concerned. The University may decide to postpone the parental leave for a period of up to 6 months if it is satisfied that granting the leave would have a substantial adverse effect on operations, if there are difficulties in finding a replacement

or if a number of employees are already on parental leave.

Pattern of Parental Leave

The leave may be taken in blocks of weeks or in agreement with the Head of School/Unit/Line Manager and in consultation with UCD HR, it may be broken down into pre-planned time off in the form of half days/ full days off.

26 weeks unpaid parental leave is available per eligible child, and the maximum time off in any one year is 26 weeks without the specific consent of UCD (except in the case of multiple births).

The proposed period of leave must be agreed with the Head of School/Unit/Line Manager and approved by UCD HR.

All public holidays that fall during the period of parental leave can be taken at the end of the parental leave or as time in lieu on dates to be discussed and agreed with the Head of School/Unit/Line Manager

4. Principles

Applying for Parental Leave

In the first instance, you should speak with your Head of School/Unit/Line Manager in good time about your intentions to take parental leave. There is a requirement to complete an application form, which will include details of the proposed period of leave, such as start date, duration and pattern and provide accompanying documentation. If you are unsure of the type of documentation required to support your application for parental leave you should contact hrhelpdesk@ucd.ie.

Procedures for applying for Parental Leave

Information on the application procedure can be found at the following link: [application procedure](#).

Once approval has been secured for the application, UCD HR will produce a 'confirmation email' regarding the approved leave with the Parental Leave agreement attached prior to the date of commencement.

Protection of your employment rights

An employee on parental leave is regarded for all purposes relating to their employment (other than the right to remuneration or superannuation benefit or any obligation to pay contributions in or in respect of the employment) as still at work and none of their other employment rights are affected.

Annual leave and public holidays will continue to accrue during a period of parental leave.

Absence from employment while on parental leave shall not be treated as part of any other leave from employment to which the employee concerned is entitled.

UCD reserves the right to extend periods of training, apprenticeship or probation to take account of absence due to parental leave.

Returning to Work

Employees must confirm their intention to return to work, in writing, at least 4 weeks before their expected return date by emailing hrhelpdesk@ucd.ie (cc'ing their Head of School/Unit/Line Manager).

On return from a period of parental leave the employee will return to their normal post, in so far as this is practicable or to an alternative position under terms and conditions of employment that are no less favourable than their contract.

Records

UCD HR will maintain records of parental leave taken by employees and information in relation to the retention of these records can be found in the UCD HR Data Retention Policy.

Abuse of Leave

If an employee is found to be abusing their entitlement to parental leave, they will immediately have their parental leave entitlement terminated and may be subject to the disciplinary process.

5. Roles and responsibilities

The Manager should

- a) read this policy and make themselves aware of their obligations;
- b) ensure a discussion takes place with the employee in preparation for the leave;
- c) discuss workload with the employee taking into consideration the reduction in their working hours.
- d) sign any necessary documentation; and
- e) promote an environment of equality, diversity and inclusion which supports family-friendly initiatives.

The Employee should

- a) read this policy 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 Policy.

Human Resources should

- a) upon request provide advice to employees and Heads of school/Heads of unit/Line Managers or nominee regarding the employee's entitlements and applications for Parental Leave.
- b) process all applications for Parental Leave 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

- Parental Leave Application Form
- Parental Leave Acts 1998 to 2019.
- European Union (Parental Leave) Regulations, 2013
- Circular 20/2008
- Circular 13/2010/ 2023 (increase age limit to 16 in public sector)

7. Version history

Version	Date	Description	Author
2.0	March 2009	Policy Versioning implemented	UCD HR
3.0	March 2013	Extension of Leave from 14 to 18 weeks	UCD HR
4.0	December 2013	Policy amended to raise age limit from 8 to 13 years	UCD HR
5.0	June 2020	Policy moved to new template	S Raleigh
6.0	November 2021	Extension of Leave to 26 weeks. Inserted roles and responsibilities. Inserted helpdesk email. Updated formatting.	P.Fitzgerald
7.0	April 2024	Removal of Force Majeure (separate policy). Increase in age lime to 16 years of age as per Changes to Parental Leave Age limit in the Civil Service, 12 September	Employee Relations

		2023, Public Service Resourcing Division. Effective date in UCD 9 April 2024.	
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