



# Paternity Leave Policy

Policy owner: UCD HR

Approval date and body: UMT, 2 November 2021

## 1. Purpose

Our University 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. Paternity leave was introduced under the Paternity Leave and Benefit Act 2016 and applies to adoptions/placements that take place on or after the 1 September 2016. This legislation expands on the current supports already in place in the University for carers, by enabling eligible employees to take time off from work around the birth or adoption of their child, or the child of their spouse or partner. This leave forms part of a suite of family-friendly initiatives available in the University and supports a more equitable sharing of parental caring duties. The purpose of this policy is to ensure that University employees are supported before, during and after their paternity leave.

## 2. Definitions

### Relevant Parent

The term “relevant parent”, shall be understood to mean a person (other than the mother of the child) who is

1. in the case of a child who is, or is to be, adopted - where the child is, or is to be, adopted jointly by a married couple of the same sex, the spouse chosen by that couple to be the relevant parent for the purposes of Paternity Leave and Benefit Act 2016, or in any other case, the spouse, civil partner or cohabitant, as the case may be, of the adopting mother or sole male adopter of the child; or
2. in any other case - the father of the child, the spouse, civil partner or cohabitant, as the case may be, of the mother of the child, or a parent of the child under section 5 of the Children and Family Relationships Act 2015 where the child is a donor-conceived child within the meaning of Part 2 of that Act.

### Paternity Leave

The Relevant parent, as defined above, is entitled to two weeks leave following the birth or adoption of their child, or the child of their spouse or partner. This two week period is referred to 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. 2 Paternity Leave Policy as “paternity leave” and must be taken within twenty-six weeks following the birth or placement of the child.

### Paternity Benefit

Paternity Benefit is a payment made by the Department of Employment Affairs and Social Protection for employed and self-employed people who are on paternity leave from work and covered by social

insurance (PRSI). Paternity Benefit is paid for two weeks. Employees, who are eligible for this payment, are required to claim the same.

### **3. Scope**

This Paternity Leave 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 Paternity Leave and Benefit Act 2016.

Paternity leave is available to those employees who are deemed to be the relevant parent of a child. Only one person who is a relevant parent in relation to a child can be entitled to paternity leave in respect of that child. There is no qualifying period for entitlement to paternity leave.

Employees employed under a fixed-term or a specified purpose contract of employment, are entitled to paternity leave during 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**

Paternity leave seeks to support those with parental caring responsibilities to balance their work and family life. It also encourages a more equitable sharing of parental responsibilities to allow for more equality of opportunity in the workplace. Our University 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 University employees are supported and treated equally before, during and after their paternity leave.

Furthermore, an employee's absence from work while on Paternity Leave 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 deductions<sup>1</sup>, for the duration of paternity leave (two weeks). Any entitlement to leave and payment for same shall last only as long as the term of the employee's contract of employment.

#### **Breach of this Paternity Leave Policy**

Paternity leave should be used for its intended purpose. Where the University has reasonable grounds for believing that an employee who is on paternity leave is not using the leave for the intended purpose, the leave can 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 Paternity Leave Procedure Document and make themselves aware of their obligations;
- b) Facilitate the employee to take their paternity leave entitlements;
- c) Ensure a discussion takes place with the employee in preparation for the leave;
- d) Sign any necessary documentation; and

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<sup>1</sup> Paternity Benefit shall be deducted from the employee's salary at source

- e) Promote an environment of equality, diversity and inclusion which support family-friendly initiatives.

### **The Employee should**

- a) Read this policy in conjunction with the Paternity Leave Procedure Document and make themselves aware of their obligations;
- b) Provide reasonable notice to their manager in order for a plan to be put in place;
- 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 Paternity Leave Procedure Document and submit to the relevant parties; and
- e) Familiarise themselves with their obligation to claim Paternity Benefit; and follow UCD's Paternity Leave Policy and procedure.

### **Human Resources should**

- a) Upon request provide advice to employees regarding their entitlements and applications for paternity leave;
- b) Process all applications for paternity leave in a timely fashion and an atmosphere of mutual trust and respect; and
- c) Act with discretion when required and with due regard for the circumstances.

## **6. Related documents**

Further information on Paternity Leave, related policies and procedures can be found on the HR website at [www.ucd.ie/hr/leave/](http://www.ucd.ie/hr/leave/) .

## **7. Version history**

<b>Version</b>	<b>Date</b>	<b>Description</b>	<b>Author</b>
1.0	April 2017	Development of Paternity Leave Policy on foot of the enactment of the Paternity Leave and Benefit Act 2016	HR
2.0	May 2017	Policy Approved	UMT
3.0	February 2019	Removal of 26 week service requirement for paid paternity leave and transfer of existing policy to new policy format.	UMT
4.0	July 2020	Policy moved to new template	S Raleigh, UCD HR
4.1	May 2021	Inserted link to HR website	P.Fitzgerald, UCD HR