



Parents Leave Policy

Version 2

Purpose:	The purpose of Parents Leave is to allow staff to take time off work for their new born or adopted child
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1. Introduction

Parent's Leave is available for staff to take time off work to care for their new born or adopted child. The concept of parent's leave was introduced by the Parent's Leave and Benefit Act 2019 ("the 2019 Act") from 1 November 2019 amended by the Family Leave and Miscellaneous Provisions Act 2021.

2. Eligibility

All staff employed in Dundalk Institute of Technology are covered by this policy if their child(ren) were born or adopted after 1 November 2019. A pro rata entitlement is applied for staff who do not work full time.

Only employees who have the necessary PRSI contributions are entitled to parent's leave benefit from the Department of Employment Affairs and Social Protection. <https://services.mywelfare.ie/>

A "relevant parent" includes:

- a parent of the child;
- the 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 adoptive parent or parents of a child
- the spouse, civil partner or cohabitant of the adopting parent (if the parents have not adopted the child together)
- each member of a married couple of the same sex, a couple that are civil partners of each other, cohabiting couple of the same sex

In certain circumstances, this may give rise to an entitlement to parent's leave on the part of up to four individuals in respect of a single child.

3. Entitlement

Parent's leave entitles each parent to 9 weeks leave for children born or adopted from 1 August 2024 during the first 2 years of a child's life. When you are on Parent's Leave, you continue to accumulate holiday entitlements and you are considered to be in employment. You can take 9 consecutive weeks or 9 separate weeks of leave.

4. Guidelines

4.1 Notice required when applying for parent's leave

The Institute must be notified in writing by the staff member at least 6 weeks before the staff member intends to take the leave. The staff member must:

- indicate the expected start date and how long the leave will be;
- Where the Institute is not the employer of the other parent taking maternity or adoptive leave then you must include appropriate certification confirming pregnancy and the expected date of birth, or in the case of adoption the date or certificate of placement.

Where the Institute is not the same employer from whose employment maternity or adoptive leave has been taken, the employee will be required to include a copy of the medical, or other appropriate, certificate confirming the pregnancy and specifying the expected week of delivery/ birth or date of placement of the child.

4.2 Postponement of parent's leave by Dundalk Institute of Technology.

The Institute cannot refuse parent's leave however they can postpone it. In certain limited circumstances the Institute may need to exercise its right to postpone, for up to 12 weeks, an employee's intended parent's leave commencement date. The Institute postponement may arise where the Institute is satisfied that the taking of the parent's leave at the time specified in the notification would have a substantial adverse effect on the operation of the core services by reason of:

- the unavailability of a person to carry out your duties during the period of the leave,
- the nature of your duties
- 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 period will be extended by up to 12 weeks.

4.3 Early Delivery

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

4.4 Postponements of parent's leave due to late birth/postponed adoption placement

An employee who is 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 Institute 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.

4.5 Postponement of parent's leave when the child is 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 7 days after the discharge of the child from hospital or such other date as may be agreed between the relevant parent and the Institute.

4.6 Can parent's leave be transferred between parents?

Where a relevant parent dies, a surviving parent is entitled to leave (referred to as transferred parent's leave) to provide care for the child for a period of two weeks or for the amount of leave the deceased parent did not take.

4.7 Applying for transferred parent's leave

To apply for transferred parent's leave, the staff member must notify the Institute in writing no later than six weeks before the intended start date of the transferred parent's leave. In your notification, mention:

- (i) the death of the relevant parent
- (ii) your intention to take transferred parent's leave
- (iii) the length of leave you are entitled to

Appendix 1 - Parents Leave Form

Personal Details	
Name of employee:	
Department:	
Employee Number	

Parent's Leave Details	
Name of child: (if name not known, write 'baby, surname')	
Date of birth/placement of the child: • (if applying in advance of the birth/placement, or where Dundalk Institute of Technology is not the same employer from whose employment maternity or adoptive leave has been taken, please include medical, or other appropriate certificate confirming the pregnancy and specifying the expected week of birth or date of placement of the child.	Day ____ Month ____ Year ____
I declare that I am a relevant parent: _____	
The employee should also provide the following documentation where applicable • medical certificate confirming the expected date of birth, or • a copy of a birth certificate, or • a copy of the declaration of suitability, or • a copy of the certificate of placement	

Parent's Leave Dates	
Commencement date:	Day ____ Month ____ Year ____
Return to work date:	Day ____ Month ____ Year ____

Declaration
I declare that the information given above is accurate and complete.
Signed: _____ Date: _____ (Employee)
Signed: _____ Date: _____ (Institute HR)

****Parent's leave must be used to assist in the provision of care to the child or to provide. This leave may be terminated if it is not used for this purpose. Any employee abusing this leave may be subject to disciplinary action in line with the Institute's disciplinary procedures.**