



Maternity Leave

1. General

All members of staff who qualify under the terms of the Maternity Protection of Employees Act 1981 and 1994 as amended in 2001 and the Maternity Protection (Amendment) Act 2004, the Unfair Dismissals Acts 1977 - 1993 and the Worker Protection (Regular Part-time Employees) Act 1991 and the Protection of Employees (Part-time Work) Act 2001 will be granted maternity leave.

2. Eligibility

Maternity leave applies to all female staff in the University. Employees covered are:

- i) Staff who have recently given birth, i.e. within eighteen weeks of giving birth.
- ii) Staff who are breastfeeding within twenty-six weeks following the birth;
- iii) Employees on fixed-term contracts are covered. However, if their contract is due to expire during a period of maternity leave, their maternity leave will also end in line with the end date of their temporary contract. Eligible employees will continue to receive Maternity Benefit from the Department of Family and Social Affairs for the full duration of paid maternity leave.

3. Period of Maternity Leave:

Twenty-six consecutive weeks may be granted provided the following conditions are met:

- i) Maternity leave application must be made in writing to the Human Resources Department at least four weeks before the intended leave. This application should include a medical certificate or MB10 form completed by a doctor confirming pregnancy and stating the expected date of confinement. This notification can be revoked up to four weeks before the intended commencement of maternity leave.
- ii) An employee can begin and end her maternity leave on any day she selects but the leave must commence not later than two weeks before the end of the expected week of confinement or on a date specified for specific medical reasons as certified by a registered medical practitioner.
- iii) Maternity leave must extend for at least four weeks after the end of the week of confinement.



iv) Notice of the date of return to work should be given in writing to the Human Resources Department at least four weeks in advance and confirmed not later than two weeks before the date of return.

4. Variations on Period of Maternity Leave

i) Late Confinement:

Where the date of confinement occurs so late in the maternity leave that less than the statutory 4 weeks remain, the leave shall be extended to the maximum of 4 weeks.

ii) Early Confinement:

Where the date of confinement occurs before maternity leave has commenced then the date of confinement will be considered the first day of twenty-six weeks maternity leave and the employee will satisfy the notification regulations if she notifies the Human Resources Department up to fourteen days after the date of confinement. Where the date of confinement is earlier than expected but occurs after maternity leave has commenced, there will be no change to the period of leave.

iii) Still Births:

In the event of a stillbirth occurring after the 24th week, an employee is still entitled to twenty-six weeks maternity leave.

5. Additional Maternity Leave:

At the end of maternity leave a staff member may, on application be granted sixteen weeks unpaid maternity leave and/or annual leave to which she is entitled at the time. The Human Resources Department must be advised of the application at least four weeks before the maternity leave was due to terminate. The unpaid additional maternity leave must be taken immediately following normal paid maternity leave.

The written notification for additional maternity leave may be given at the same time as the notification for maternity leave.

6. Sick leave & Maternity Leave:

Where a pregnant staff member is experiencing ill-health necessitating substantial sick leave (certified and uncertified), the University may decide to obtain an independent medical opinion, and where appropriate, to require the staff member to commence maternity leave on a specified



date. Sick leave following maternity leave, irrespective of whether it relates to the confinement, may be allowed within the normal entitlement where this leave is certified. However, in line with normal sick leave regulations, sick leave will only be allowed where the University is fully satisfied of the intention of the staff member to return to employment. Subject to agreement with the Human Resources Department, a staff member has the right to terminate unpaid additional maternity leave in the event of becoming ill.

7. Annual Leave & Maternity Leave:

Annual leave may, on application and with approval from the Head of School/Unit, be taken immediately before or after maternity leave. This should be notified to the Human Resources Department at least four weeks before the period of maternity leave was due to terminate. Please note that where unpaid maternity leave is availed of this must follow immediately after paid maternity leave, and annual leave follows unpaid maternity leave.

Annual leave is not affected by maternity leave. Annual leave continues to accrue as normal while an employee is on both the standard twenty-six weeks maternity leave and the sixteen weeks additional maternity leave.

8. Ante and Post-Natal Care

An employee is entitled to attend all of her ante-natal medical appointments without loss of pay. The employee must give two weeks written notice to her Head of School/Unit before the appointment.

An employee is also entitled to paid time off for the purpose of attending one set of ante-natal classes other than the last three classes in such a set and/or post natal care. Evidence of appointment or attendance at the clinic should be sent to the Human Resources Department.

An expectant father of a child, if he is employed under a contract of employment, is entitled to time off from work, without loss of pay to attend the last two ante-natal classes in a set before the birth.

9. Payment During Maternity Leave

Staff who are on D1 PRSI class will receive full pay during the twenty-six weeks maternity leave, and this payment will be made irrespective of whether the employee intends to return to work. Therefore should the staff member intends to resign this can be notified to the Human Resources Department at an early date. Staff who are on A1 PRSI class will receive normal pay less the State Maternity Benefit. Staff who are entitled to State Maternity Benefit should



inform the Human Resources Department on their application. The MB10 Social Welfare Maternity Benefit Application form must be completed and submitted to the Maternity Benefit Section in order to obtain Social Welfare maternity benefit. This form must also be signed by both the Human Resources Department and the Finance Office before sending it to Social Welfare. If an employee avails of the sixteen weeks additional Maternity Leave (point 5 above) this will be unpaid.

10. Effects of Maternity Leave

- i) Where a staff member is on probation, the probation will be suspended for the period of maternity leave and additional maternity leave.
- ii) Maternity leave and additional maternity leave are not considered as part of any other absence including sick leave or annual leave.
- iii) The period of maternity leave is considered continuous with the period of employment preceding it.
- iv) Additional maternity leave is not considered as continuous employment but on resumption of work continuity is re-established and there is no break in service. However, pension service does not accrue during unpaid maternity leave.
- v) Public holidays occurring during maternity leave will be offered as an extra day's leave.
- vi) Maternity leave with pay does not affect a staff member's incremental date. However, any approved leave of absence without pay, will involve an adjustment in incremental date.
- vii) Temporary staff on Maternity Leave: If the contract of employment ends whilst a staff member is on maternity leave, the maternity leave also ends. State Maternity Benefit, however, usually continues for the remainder of the maternity leave.

11. Replacing Staff on Maternity Leave

Please note that due to the current policy constraints that apply to public bodies there is no guarantee that the University will be able to replace staff that go on maternity leave in every instance. The relevant Head of Unit should contact Human Resources to discuss temporary replacement of staff who are about to go on maternity leave. Each case will be treated on its own merits with a view to facilitating where possible the replacement of staff on maternity leave and if financial considerations allow.



12. Postponing or Splitting Maternity Leave

Subject to agreement with the University a mother has the option of splitting, or postponing the period of Maternity Leave/additional Maternity Leave in the event of hospitalisation of the child. Maternity leave may only be postponed if the employee has taken at least 14 weeks maternity leave, 4 of which would have been taken after the end of the week of confinement.

13. Breastfeeding

Breastfeeding mothers must be accommodated by employers (for up to 6 months after giving birth), without loss of pay, to either breastfeeding breaks where suitable facilities are provided, or to a reduction of working hours. A breastfeeding room is available on campus. Access to the room should be made via the Health & Safety office.

14. Addendum to Maternity Leave policy for Research Staff

The Addendum to the Maternity leave policy for research staff can be found at http://www.dcu.ie/hr/Addendum-MaternityLeave_Researchers_Jan_11_Final.pdf

Last Revision 17-MAY-11

Document Name	Maternity Leave Policy	
Version Reference	1.0	
Document Owner	Human Resources Office	
Approved by	HR / DES	
Date	17th May 2011	