



# **Parental Leave Policy**



## Introduction

The purpose of Parental Leave is to entitle a working parent to unpaid leave from work to enable them to take care of their child in accordance with [Parental Leave Acts 1998 – 2019](#) and [European Union \(Parental Leave\) Regulations 2013](#).

## Purpose

This policy specifies the arrangements in place at Dublin City University for the administration and monitoring of the University's Parental Leave policy.

## Scope

This policy applies to staff of Dublin City University as defined in Appendix A to the policy.

## Policy Statement

It is the policy of Dublin City University to introduce and fully implement the terms and provisions of the Parental Leave Amendment Act's 1998 – 2019 and European Union (Parental Leave) Regulations, 2013, having regard to the University's operational requirements.

### Statutory Entitlement to Parental Leave

- Each parent is entitled to 26 weeks Parental Leave for each child.
- The leave must be taken before the child reaches 13 years of age except in certain circumstances in the case of an adopted child.
- In the case of children with disabilities and long-term illness the maximum age of the eligible child has been raised to 16 years. This provision applies to a child in respect of whom a Domiciliary Care Allowance (DCA) is payable or would be payable if the child satisfied the means test.
- A provision of the Parental Leave Act is an extension of parental leave entitlements to persons acting in loco parentis in respect of an eligible child.

### Adoptive Children

If a child is under 6 years at the time of the adoption the leave must be taken before the child reaches 13 years of age. However, if a child is aged between 11 and 13 years at the time of adoption the leave must be taken within 2 years of the adoption order.

### Minimum Service Requirement

An employee must have at least one year's continuous service with the University before being entitled to take the full Parental Leave entitlement. Employees with less than one year's service may be entitled to a pro-rata entitlement.

### **During Parental Leave**

- For the duration of the Parental Leave, Annual Leave and public holiday entitlements will continue to be accrued. Service will also continue to remain unbroken and increments will continue to apply.
- Service accrued during Parental Leave is not counted for Superannuation/Pension benefit purposes.
- In the case of an employee who is on probation at the start of their Parental Leave, their probationary period will be extended to cover the leave period.
- Parental Leave cannot be taken concurrently with any other form of leave. For example, if an employee falls ill and is unable to care for their child whilst on parental leave, the parental leave will be suspended for the duration of the illness.
- All employees are entitled to return to their own position at the end of the Parental Leave.

### **Manner in which Parental Leave may be taken**

Having regard to the University's operational requirements Parental Leave may only be availed of as follows on a basis consistent with the needs of the Department, School or Unit. An employee is entitled to a maximum of 26 weeks leave per child. Where an employee qualifies for Parental Leave in respect of more than one child, the employee may not take more than 26 weeks in any 12 month period unless the University agrees otherwise. However, this restriction does not apply in the case of a multiple birth (i.e. twins, triplets, etc.).

Employees have a statutory entitlement to parental leave to be taken in the manner outlined in A and B below:

- A) Parental Leave may be taken as one continuous period of 26 weeks;  
or
- B) Two separate periods of a minimum of six weeks each (with at least 10 weeks between each period).

### **Postponement**

If there is an adverse effect on the operations of the Faculty/School/Unit, the University can postpone Parental Leave for up to six months in accordance with the Acts. This will be discussed with the employee at the time and the reason/s for the postponement will be confirmed in writing. Parental Leave will not be lost if, solely as a result of postponement, the child reaches the age threshold.

### **Postponement Defined Reasons**

Postponement defined reasons may include, but are not limited to the following:

- Seasonal variations
- Unavailability of a person to perform duties

- Nature of duties
- Number of employees
- Number of employees on Parental Leave
- Poor performance
- Other relevant matters

### **Discretionary Leave**

The manner outlined above details the statutory entitlement on how parental leave may be taken. However, at the discretion of the University, agreement may be given for parental leave to be taken on the following (non-statutory) basis, subject to a maximum of 130 working days:

1. Shorter blocks of continuous leave (e.g. 1/2/3 weeks of parental leave)
2. Broken into units of no less than one full day per week over an agreed period

This discretionary leave agreement is subject to the following principles:

- The business needs of the unit in question will be in no way adversely affected.
- There is sufficient cover within the Faculty/School/Unit to account for this period of leave and any absence within the unit.
- The performance (including attendance) of the applicant is deemed to be at acceptable levels.
- Employees availing of any other part-time leave arrangement such as Reduced Hours can only avail of Parental Leave in block periods.
- In accordance with the provisions of the Flexi Leave Policy the taking of flexi leave while on a period of Parental Leave will not be possible.
- Accrued annual leave and public holiday leave, following a period of block parental leave, must be taken immediately following the leave.

### **Replacement of Staff on Parental 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 parental leave in every instance. The relevant Head of Unit should discuss in detail their resource plans with their relevant HR Business Partner before agreeing to a Parental Leave request (see next points). Any case for a temporary replacement will be treated on its own merits and in relation to relevant financial and headcount considerations for the area.



## Roles & Responsibilities

### The Employee

- a) The Employee will discuss the request for Parental Leave with their Line Manager in advance of submitting a completed Parental Leave Form ([see link](#)) to the HR Department. Discussions will include how their workload may change and will be managed over their period of leave (if granted).
- b) The Employee must ensure that the Parental Leave Request form is signed, by their Line Manager, before submitting the Form to the HR Department.
- c) The Parental Leave Request Form must be submitted to the HR Department at least 8 weeks in advance of the start date of the Parental Leave together with the child's birth certificate/other requested information.

### The Line Manager

- a) The Line Manager will discuss the employee's request for leave with the HR Business Partner. Discussions will include how the unit will manage with this period of leave, taking into account that temporary cover may not be possible.
- b) Subject to agreement, the Line Manager will sign the Parental Leave Form to indicate their support of the application.

### The HR Operations Manager

The HR Operations Manager will, based on the information provided by the Human Resources Business Partner and Line Manager, make a decision on final approval.

The HR Department will issue the employee with a letter confirming the approval of the Parental Leave arrangement.

Copies of the signed documentation are held electronically on the employee's record.

## Sanctions

If reasonable grounds for believing a parent is not using Parental Leave for the purpose of taking care of a child are found, e.g. they are working somewhere else, the University may refuse the leave and/or revoke the leave. The University may take appropriate action in the case of misuse of Parental Leave. This may include formal disciplinary action.

## Related Documentation

1)	Appendix 1 – Application and Approval Process
2)	Appendix 2 - Notes on Income Continuance Protection and Social Welfare arrangements


## Frequently Asked Questions (FAQs)

Ref:	Question	Answer
1	When will entitlements under parental leave increase?	Entitlement to unpaid parental leave is due to increase from 26 weeks per parent per child to 26 weeks per parent per child from 1st September 2020.

## Contacts

Information and Parental Leave Request Forms are available from the HR Website [\(See Link\)](#) or by contacting the Human Resources Department.

## Version Control

Document Name	Parental Leave Policy	
Version Reference	V3.1	
Owner	Human Resources	
Approved by	HR Director	
Date	September 30th 2020	

End.

## Appendix A

### Application and Approval Process

All staff employed by the University, with continuous service of one year, who is a natural/adoptive parent/acting in loco parentis in respect of a child, is entitled to unpaid parental leave of 26 weeks for each child up to 13 years of age.

### Notice to Take Leave:

The employee must request parental leave at least **eight weeks in advance** of the start date of the leave.

### Process

1. All applications for parental leave must be made using the Parental Leave Form, available at: <http://www4.dcu.ie/hr/hrforms.shtml>.
2. The Form must be completed, signed by the Head of School/Unit, and returned to the HR Department, along with the necessary birth certificate/adoption order, no later than **eight weeks** before the proposed commencement of the leave. Eight weeks' notice is also required for an extension/renewal of an existing or previous parental leave arrangement.
3. The HR Operations Manager will review and approve/unapprove the application.
4. Subject to approval the HR Department will produce a Parental Leave contract for the employee to sign 4 weeks prior to leave. This will confirm the start date, duration and manner in which the leave will be taken e.g. continuous block of x weeks or one day per week.
5. Leave cannot commence prior to the employee signing and returning the Parental Leave Contract.
6. All documents must be sent to the employee with a copy kept by both the university and employee.

**Note:** In the event that the agreed parental leave days are changed, Human Resources must be notified in writing immediately as this can affect the payment of salaries to the employee.

## Appendix B

### **Pay Related Social Insurance Contributions (PRSI)**

Parents who take parental leave may get a PRSI credit for each week taken. This makes sure that cover for social welfare benefits is kept up to date.

If you are taking parental leave in block form, the HR Department can write to the Records Update Section of Department of Employment Affairs and Social Protection (DEASP), setting out the weeks you have not worked, so that you can get [credited PRSI contributions](#) for this time.

### **Income Continuance Plan (ICP) and Parental Leave**

Cover under ICP for employees who are members of the scheme and who are availing of parental leave is as follows:-

#### Parental Leave taken in broken units of days e.g. (one day unpaid per week)

Contributions will be based upon your reduced salary during the period of your unpaid parental leave and full cover will be maintained for a period of 22 weeks, subject to a maximum of 26 weeks if other leave such as unpaid maternity leave has been taken within a 12 month period. If the unpaid leave will exceed the 26 week limit you should contact Cornmarket on (01) 408 4000 in advance of the leave to discuss your options.

#### Parental Leave taken in Block Form

Membership of the DCU Group Income Continuance Plan will continue as normal. No contributions will be required during the period of your unpaid parental leave and full cover will be maintained for a period of 22 weeks, subject to a maximum of 26 weeks if other leave such as unpaid maternity leave has been taken within a 12 month period. If the unpaid leave will exceed the 26 week limit you should contact Cornmarket on (01) 408 4000 in advance of the leave to discuss your options.

**End of appendices**