



# Enable Ireland

## PARENT'S LEAVE POLICY

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## 1.0 Legislation

The Parent's Leave and Benefit Act 2019 was signed into law on 24 October 2019 and came into operation on 1 November 2019.

## 2.0 Scope

This policy covers all part-time and full-time staff of Enable Ireland, provided the conditions outlined below are met.

With reference to the application of the HR process in relation to staff employed by other agencies through the PDS framework, this policy is applied in accordance with the:

- National Policy on the Lead Agency Model<sup>1</sup> (2019:4),
- **Interagency Agreement**, together with any new policy or guideline documents arising from PDS.

From 01 April 2021 the Act enabled a “relevant parent” to take five weeks Parent’s leave which must be taken within 2 years of the birth/adoption of a child/children.

### Changes from 01 July 2022

From July 2022

- Parent’s leave increased from 5 weeks to **7 weeks** for children born or adopted after 1 July 2022
- You can claim the additional 2 weeks' parent’s leave if your child/children **is under the age of 2 on 1 July 2022** or your adopted child/children **has been placed with your family less than 2 years on 1 July 2022**
- You must complete the extra leave on or before your child/children’s second birthday or within 2 years of the adoption placement
- Parent’s Benefit increased from 5 weeks to 7 weeks for each parent (if you qualify)

Parents of children born between November 2019 and July 2020 will not be eligible for the additional 2 weeks.

## 3.0 Eligibility to take Parent’s Leave

Under the Act, a “relevant parent” includes:

- a parent of the child/children
- the spouse, civil partner or cohabitant of a parent of the child/children
- a parent of the child/children where the child/children is a donor-conceived child
- the adopting mother or sole male adopter of the child/children
- the spouse, civil partner or cohabitant of the adopting mother or sole male adopter of the child/children
- each individual in the couple where the child/children is, or is to be, adopted jointly by a married couple of the same sex or a couple that are civil partners of each other, or a 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.

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<sup>1</sup> <https://www.hse.ie/eng/services/list/4/disability/progressing-disability/pds-programme/documents/national-policy-on-the-leadagency-model.pdf>

## 4.0 Entitlements and Conditions

The following conditions apply to taking Parent's leave:

- Subject to eligibility and notification criteria being met, Parent's Leave applies to births/ adoption placement that take place on or after the 1 November 2019.
- A staff member who is a relevant parent may avail of a continuous period of seven weeks Parent's Leave. Parent's Leave must be taken in periods of not less than one week at a time.
- Parent's Leave must be taken after birth or placement for adoption and must be taken within 2 years of birth or placement.
- Only one period of leave will be allowed where a parent has multiple births or adopts more than one child simultaneously.
- Staff on Maternity Leave may take the Parent's Leave once the paid element of maternity leave has concluded. If the staff member avails of additional maternity leave, the staff member will be required to take the parent's leave after both have concluded.
- Staff on Paternity Leave may take the Parent's Leave once the paid element of paternity leave has concluded.
- In certain limited circumstances an employer may be in a position to postpone the staff member's intended commencement, see section 7.0 of this policy.

## 5.0 Notice required when applying for Parent's Leave

The staff member must give written notice to their line manager on the application form attached, at least 6 weeks before their intention to take the leave (see **Appendix 1**). The request must specify the commencement date of the period of leave. Where Enable Ireland receives a request for parent's leave and Enable Ireland is not the same employer from whose employment maternity or adoptive leave for this/these child/children has been taken, the employee will be required to provide a copy of the birth certificate(s) issued to the child/children concerned. In a case of adoption, a certificate of placement will be requested where Enable Ireland is not the same employer from whose adoptive leave was taken for this/these child/children.

## 6.0 Early Confinement

In the case of early confinement, where the date of confinement occurs in a week that is 4 weeks or more before the expected date of confinement, the relevant parent (where circumstances require) will be deemed to have complied with their notice of intention to take Parent's Leave obligations to their employer if notice is given in the period of 7 days commencing on the date of confinement.

## 7.0 Postponement of Parent's Leave

In certain limited circumstances an employer may be in a position to postpone the staff member's intended commencement date for 12 weeks where the employer 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 service/department by reason of:

- (a) seasonal variations in the volume of work concerned,
- (b) the unavailability of a person to carry out the duties of the staff member in the employment during the period of the leave,
- (c) the nature of the duties referred to in paragraph
- (d) the number of staff in the employment or the number thereof whose periods, or parts of whose periods, of Parent's Leave will fall within the period specified in the said notification,

or

- (e) any other relevant matters, the employer may, by notice in writing given to the staff member not later than 4 weeks before the intended commencement of the leave, postpone the commencement of the leave to such time, not later than 12 weeks after the date of commencement specified in the relevant notification, as may be agreed upon by the employer and the staff member

### **7.1 Postponement of Parent's Leave Due to Late Birth/Postponed Adoption Placement**

A staff member, 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 Enable Ireland 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.

### **7.2 Postponement of Parent's Leave when the Child is Hospitalised**

A staff member who is a relevant parent, may postpone the Parent's Leave or some of it in the event of hospitalization of the child/children. The postponed leave is to be taken not later than 7 days after the discharge of the child/children from hospital or such other date as may be agreed between the relevant parent and employer.

### **8.0 Transfer of Parent's Leave**

Parents leave cannot be transferred between parents other than in specified circumstances, such as the death of a parent.

### **9.0 Payment during Leave**

You will not be paid your salary from Enable Ireland while you are on parent's leave. Staff who have the necessary PRSI contributions are entitled to Parent's Leave benefit from the Department of Employment Affairs and Social Protection. Claims should be made on the relevant form, which are available from the Department of Social Protection or at [www.welfare.ie](http://www.welfare.ie)

Contact details for the Parent's Benefit section are:

### **Parent's Benefit Section**

Department of Employment Affairs and Social Protection  
McCarter's Road  
Buncrana Donegal  
Ireland  
F93 CH79

**Locall:** 1890 690 690 (Note: the rates charged for using 1890 (Lo-call) numbers may vary)

**Homepage:** <https://www.welfare.ie>

### **10.0 Annual Leave and Public Holidays**

While on Parent's Leave, the staff member retains the right to accrue annual leave and public holidays as if the staff member had not been absent from work.

### **11.0 Employment protection**

A staff member who is absent on Parent's Leave will be treated as if the staff member had not been absent. At the end of the parents leave, the staff member will be entitled to return to their original job under terms and conditions no less favourable than those that would have applied if they had not been absent.



## APPENDIX 1: REQUEST FOR PARENT'S LEAVE

### Important Notes for Appendix 1

- This form is in duplicate.
- You must complete both copies and return one to your line manager and the other to the Human Resources Department
- The postal address for HR is as follows: Human Resources Department, Enable Ireland, Unit 32F Rosemount Park Drive, Rosemount Business Park, Ballycoolin Rd, Dublin 11.

Dear [*Insert Line Manager's Full Name/Name Human Resources Personnel*]

I hereby notify Enable Ireland of my intention to take \_\_\_\_\_ weeks Parent's leave commencing on \_\_\_\_\_ (insert date) and ending on \_\_\_\_\_ (insert date).

Yours sincerely,

\_\_\_\_\_  
Staff Member Signature

\_\_\_\_\_  
Staff Member Name (Print)

**Date:**

**Department:**

**Location:**

**Date of Commencement of Employment:**