



Parental Leave Policy

Introduction

Dublin City University (DCU) is committed to providing an equal, inclusive and diverse environment in which all members of the University community should expect to be able to thrive and be respected and valued for their unique perspectives and contributions. This policy specifies the arrangements in place at Dublin City University for the administration and monitoring of the University's Parental Leave Policy.

Purpose

The purpose of this policy is to provide clarity regarding parental leave entitlements for employees of the University and its wholly owned campus companies (hereinafter collectively referred to as the 'University') to unpaid leave from work to take care of their child in accordance with Parental Leave Acts 1998 – 2019, European Union (Parental Leave) Regulations 2013 and Changes to the Parental Leave Age Limit applicable to the Education sector 2023.

Scope

This policy applies to all employees of the University, both academic and support, including those employed in its research centres and its wholly owned campus companies.

Policy Statement

Parental Leave is unpaid leave from the University.

It is the policy of the University to introduce and fully implement the terms and provisions of the Parental Leave Amendment Acts 1998 – 2019 / European Union (Parental Leave) Regulations, 2013/Changes to the Parental Leave Age Limit applicable to the Education sector 2023, having regard to the University's operational requirements.

Entitlement to Parental Leave

- Employees of the University, with continuous service of one year, who are relevant parents are entitled to unpaid parental leave.
- Parental Leave is available for each parent and is generally non-transferable.
- Each relevant parent is entitled to 26 weeks parental leave for each child.
- The leave must be taken before the child reaches 16 years of age.
- 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.

- Part-time employees are entitled to Parental Leave on a pro rata basis.
- 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.

In the case of an adopted child

- If a child is aged between 14 and 16 years at the time of adoption the leave must be taken within 2 years of the adoption order.
- 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.

Manner in which Parental Leave may be taken

- Having regard to the University's operational requirements, parental leave may only be availed of 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. 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 periods).

Postponement

- If there is an adverse effect on the operations of the Faculty/School/Unit, the University may postpone parental leave for up to six months in accordance with the Acts.
- If postponement is necessary, 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 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

- 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:
 - Shorter blocks of continuous leave (e.g. 1/2/3 weeks of parental leave).
 - 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 Faculty/School/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, following a period of block parental leave, must be taken immediately following the leave.

Replacement of an Employee on Parental Leave

- There is no guarantee that the University will be able to replace, in every instance, employees that avail of Parental Leave.
- Any case for a temporary replacement will be treated on its own merits and in relation to relevant operational and resourcing considerations for the area.

Employment Rights during Parental Leave

- Parental Leave is unpaid leave.
- The employee's service will continue to remain unbroken, however, service accrued during Parental Leave is not counted for Superannuation/Pension benefit purposes.
- 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.
- 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.
- All employees are entitled to return to their own position at the end of the parental leave.

Application Process

- Application for Parental Leave must be made using the Parental Leave Form available from the HR website.
- Application Forms, together with a photocopy of the child's birth/adoption certificate should be submitted to the HR Department by email to askhr@dcu.ie
- The Application Form must be signed by the Head of School/Unit.
- Application must be submitted to HR at least 8 weeks in advance of the start date of the proposed period of parental leave. Eight weeks' notice is required for an extension/renewal of an existing or previous parental leave arrangement.

Roles & Responsibilities

The Employee

- Read this policy and be aware of their entitlements as well as their obligations.
- Discuss the request for parental leave with their Line Manager in advance of submitting a completed Parental Leave Form to HR. Discussions will include how their workload may change and will be managed over their period of leave.
- Ensure that the Parental Leave Application Form is signed by their Line Manager.
- Ensure the signed Parental Leave Request Form together with the birth/adoption certificate is submitted by email to askhr@dcu.ie
- Keep a record of the documentation and paperwork issued in relation to their leave request.
- Immediately notify HR (askhr@dcu.ie) in writing in the event that agreed parental leave days are changed, as this can affect the payment of salaries to the employee.
- Engage in discussions with their Line Manager regarding their return from leave and to explore any support that may be appropriate.

The Line Manager

- Read this policy and be aware of employees' entitlements.
- Ensure a discussion takes place with the employee in order to assist them to prepare for taking leave. Discussions will include how the employee's workload may change and will be managed during the leave period.
- Discuss the employee's request for leave with the HR Business Partner. Discussions will include how the employee's absence will be accommodated and the resource plans for the unit taking into account that temporary cover may not be possible.
- Subject to agreement, sign the Parental Leave Form to indicate their support of the application.

- Upon the employee's return from leave, ensure a discussion takes place with the employee in order to assist them with their return including exploring any support that may be appropriate.

Human Resources

- Help ensure that employees are aware of the content of this policy.
- Respond promptly to requests from employees for Parental Leave.
- Process all applications for Parental Leave in a timely manner.
- Will have final approval of Parental Leave having regard to all information relating to the leave request.
- Issue the employee with a Parental Leave Letter confirming the approval of the leave arrangement to include details relating to PRSI credits, Income Continuance Plan etc.
- Ensure that all documents are sent to the employee with a copy retained by the University.
- Will update the employee's leave record and personal file.
- Carry out equality monitoring of leave applications and uptake.

Sanctions

- If reasonable grounds for believing an employee 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.

Definitions

Relevant Parent

For the purposes of parental leave, relevant parent means a person who is either a parent, an adoptive parent, or a person acting in 'loco parentis' (acting as a parent to the child).

Contact

Any queries regarding this policy should be directed to:


E: ask.hr@dcu.ie

Tel: 01 700 5149

Policy Review

This policy will be reviewed every 3 years or as soon as practicable after there has been a substantial change in any matter to which this policy refers.

Version Control

Policy Name	Parental Leave Policy		 Ollscoil Chathair Bhaile Átha Cliath Dublin City University
Unit Owner	Human Resources		
Version Reference	Original Policy V3.0	Reviewed Policy V3.2	
Approved by	Director of Human Resources	Director of Human Resources	
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End.