MATERNITY LEAVE PROCEDURE

1. Purpose

1.1. The University of Limerick is committed to fostering an inclusive culture where all members of our community are valued and supported and to creating an environment that supports all employees in balancing their professional responsibilities with family life. We are committed to ensuring that employees on maternity leave are supported before, during and after their maternity leave, and that they are not disadvantaged in any aspect of their employment, such as career progression, promotion, access to training or participation in key initiatives, as a result of taking maternity leave. These principles apply equally to all employees of the campus community.

1.2. This procedure provides clear guidance on the entitlements, responsibilities and supports to employees who are pregnant, taking maternity leave, or returning to work following maternity leave. It ensures compliance with the provisions of the Maternity Leave Protection Acts 1994 -2004, whilst reflecting the University's core values of equality, diversity and inclusion.

2. Eligibility

2.1. All pensionable employees are entitled to maternity leave. This procedure also applies to transgender men who are pregnant or have given birth, in accordance with the Work Life Balance and Miscellaneous Provisions Act 2023.

3. Maternity Leave Entitlements

3.1. Employees are entitled to 26 consecutive weeks of statutory paid maternity leave.

3.2. An additional 16 weeks of unpaid maternity leave can be taken immediately following the initial 26 weeks.

3.3. Maternity leave must commence no later than two weeks before the expected week of childbirth.

3.4. Annual leave and public holiday entitlements continue to accrue during maternity leave. These entitlements should be taken immediately prior to resumption of duties.

3.5. On receipt of a notification of pregnancy, recent birth or breastfeeding, the Head of Department or Line Manager/Supervisor shall review the risk assessments relevant to that person's work and shall conduct a pregnancy risk assessment with reference to the Pregnant Employee Assessment Checklist. Line managers are also advised to refer to the University's Safety Statement in this regard for further information and to contact the Health & Safety Unit if they have further queries.

3.6. If an employee commences a period of a maternity leave during the period of probation, the period of probation will be paused for the duration of the maternity leave (paid and unpaid) and will recommence upon resumption duties.

3.7. Employees are entitled to attend medical or related ante/post-natal care. Where possible, the employee will give their line manager at least two weeks' notice of their ante/post-natal appointments.

4. Maternity Benefit

4.1. Employees who have sufficient social insurance (PRSI) contributions are entitled to Maternity Benefit for the 26 weeks of statutory maternity leave.

4.2. The Maternity Benefit is paid directly to the employee by the Department of Social Protection and that amount is deducted by the University from the employee's salary. The University will pay the employee their full salary, less their Social Welfare entitlements (Maternity benefit), for the duration of the 26 weeks maternity leave. Employees working on a part time or job share basis, and those availing of special administrative arrangements for the payment of salary for Shorter Working year, receive the benefit of paid maternity leave on a pro rata basis.

5. Variations on Periods of Maternity Leave

Early Birth

5.1. Where the birth occurs earlier than expected and before the date the Maternity Leave was due to commence, the birth date will be considered the date on which the 26 weeks paid Maternity Leave has commenced.

5.2. State Maternity Benefit is payable for an extra period after the end of the paid 26 weeks in the case of a premature birth. Maternity leave is also extended for this extra period. This extension corresponds to the time period between the baby's actual birth date and the expected start date of the maternity leave and Maternity Benefit, which would have been 2 weeks before the end of the week when the baby was due.

5.3. To bring forward the start date of a Maternity Benefit claim, the employee will need to give the Department of Social Protection (DSP) either a copy of the baby's birth certificate or a letter from the hospital confirming the baby's actual date of birth. The correspondence from the Department confirming the entitlement to the additional paid maternity leave must be forwarded to the Compensation & Benefits Department (C&B) in order to process the additional paid State maternity leave.

5.4. Where the date of birth occurs earlier than expected, but after the Maternity Leave has commenced, then there will be no change in the period of leave.

Stillbirths and Miscarriages

5.5. In the event of a stillbirth, miscarriage or neonatal death occurring after the 24th week of pregnancy, an employee is entitled to the full 26 weeks paid maternity leave. Colleagues are reminded also of the provisions of the University's Compassionate leave procedure and the availability of the confidential Employee Assistance Programme.

6. Keep in Touch (KIT) Days

6.1. Employees on maternity leave have the option of availing of up to three Keep in Touch (KIT) days during the period of their maternity leave without affecting maternity pay.

6.2. The days can be used for any activity which would ordinarily be classed as work under their contract of employment. KIT days are optional and the activities to be undertaken should be agreed in advance between the employee and their line manager.

6.3. Employees will be entitled to apply for paid time off in lieu (on their return from maternity leave) for any KIT days worked.

6.4. The administration of KIT days will be managed locally between the manager and the employee.

6.5. If an employee does not wish to use KIT days they are under no obligation to do so. They can take their full maternity leave without working any days.

7. Postponing Maternity Leave due to serious illness

7.1. The employee may postpone their maternity leave for a period of between five (5) and fifty-two (52) weeks if they have a serious illness. A serious illness is one that significantly affects your health or wellbeing. This includes both physical and mental illnesses as certified by the employee's doctor.

7.2. A "serious health condition" is defined in Section 14(c) of the Maternity Protection, Employment Equality Act 2024 as a health condition that:

a) entails a serious risk to life or health, including the mental health, of the employee, and

b) in order to address the risk, requires necessary medical intervention that is ongoing for a period of time to be carried out in respect of the employee. The Act specifies that "necessary medical intervention" in relation to mental health refers to inpatient hospital treatment.

7.3. If an illness does not meet the criteria as set out at section 6.2 above, it will not be possible to postpone maternity leave and take it after the period of illness has ended.

7.4. The employee's absence during a period of approved postponed maternity leave will be recorded as sick leave and will be subject to the terms of the University's Sick Leave Procedure.

7.5. The employee can postpone their maternity leave twice during a pregnancy due to serious illness. The second period of postponement must immediately follow on from the first postponement. The employee must give their line manager and Human Resources a minimum of 2 weeks notice in writing that you intend to further postpone your maternity leave and provide a medical certificate.

7.6. An employee can take their postponed maternity leave as one continuous period, the day after their medical certificate ends. The employee must notify their manager and Human Resources in writing that they intend to take their maternity leave a minimum of four weeks in advance of commencement of maternity leave.

7.7. To apply for a postponement of maternity leave should you become seriously ill either whilst pregnant prior to maternity leave commencement or while on maternity leave, you must provide your line manager **and** Compensation & Benefits with a letter from a Doctor confirming:

(i) You are suffering from a serious health condition that represents a threat to life and health and

(ii) that they are the Medical Practitioner treating you for the serious health condition that represents a threat to life and health and

(iii) that your condition requires medical intervention that will be ongoing for a period of time and

(iv) if your serious health condition is a mental health condition, that it requires in-patient hospital treatment.

8. Application Process for Paid and Unpaid Maternity Leave

8.1. Six weeks before commencing maternity leave, the employee must complete a maternity leave application on the Employee Request Portal on Core HR and submit it to their line manager and HR for approval.

8.2. Six weeks before commencing maternity leave, the employee must complete the MB1 Application form for Maternity Benefit and submit the MB2 (Employers Certificate) to Compensation & Benefits for completion. These forms can also be accessed via https://www.gov.ie/en/department-of-social-protection/services/maternity-benefit/

8.3. A medical certificate confirming the expected date of confinement must be provided.

8.4. An employee who wishes to take additional (unpaid) maternity leave, must complete an application for unpaid maternity leave on the Employee Request Portal on Core HR and submit it to their line manage and HR for approval not later than four weeks prior to proposed commencement of the unpaid leave. Unpaid maternity leave must follow immediately following a period of paid maternity leave

9. Procedure for Returning to Work following Maternity Leave

9.1. An employee must notify the Dean/Head of Department/Manager and Compensation & Benefits in writing of their intention to return to work at least 4 weeks prior to resuming duties.

9.2. An employee will have the right to return to their original position at the end of their period of maternity leave. Should exceptional circumstances prevail resulting in the employee's substantive role no longer existing in its current format at the end of the

maternity leave period due to evolving business need, then the University will consult with the employee on their return from maternity leave about the impact of the changes and options, which may be available. Should these circumstances arise then the Reassignment Policy and Procedure will be followed.

10. Breastfeeding

10.1. Breastfeeding employees are entitled to breastfeeding breaks for up to 2 years after giving birth where suitable facilities are provided, or to a reduction of working hours. Please see details of the University's Breastfeeding Procedure on the University's website.

11. Roles & Responsibilities

The Employee

- Read this procedure and be aware of their entitlements as well as their obligations. Advice and clarification on the details of the procedure is available by contacting compandbens@ul.ie and/or speaking to the Line Manager.
- Provide reasonable notice to their line manager in order to ensure they are fully supported.
- Make themselves available, where possible, to engage with their line manager in planning for the period of absence
- Apply to HR at least six weeks before the intended leave. This can be done by using the Employee Requests portal on Core HR. The application will include a medical certificate or Maternity Benefit (MB2) form completed by a doctor confirming pregnancy and stating the expected date of birth.
- To avail of sixteen weeks' unpaid leave, the employee must notify the Head of School/Unit and HR using the Employee Requests portal on Core HR at least four weeks before the paid maternity leave is due to end. The unpaid additional maternity leave must be taken immediately following normal paid maternity leave.
- Keep a record of the documentation and paperwork issued in relation to their leave request.
- Submit a claim for State Maternity Benefit to the Department of Social Protection. This must be done at least 6 weeks before the commencement of the Maternity Leave. Information on how to claim Maternity Benefit is available from: https://services.mywelfare.ie page.
- Notify your line manager and compandbens@ul.ie of the return-to-work date at least four weeks before actual return date.
- Engage with discussions with their Line Manager regarding their return from leave and to explore any support that may be appropriate. This should be done as soon as practicable but no later than 6 weeks from the date of return to work.
- Notify their manager in writing of the date and time of the ante/postnatal appointments at least two weeks in advance.

The Line Manager

- Read this procedure and be aware of employees' entitlements
- Seek advice and support from HR on the details of this procedure
- 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.
- 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.
- Promote an environment of equality, diversity and inclusion which support family-friendly initiatives

Human Resources

- Help ensure that employees are aware of the content of this procedure.
- Respond promptly to requests from employees for Maternity Leave.
- Process all applications for Maternity Leave in a timely manner.
- Issue the employee with a Maternity Leave Letter confirming the approval of the leave arrangement.
- Update the employee's leave record and personal file.

12. Related Procedures

- Breastfeeding Procedure
- Annual Leave Procedure
- Sick Leave Procedure
- Managing Attendance Procedure
- Compassionate Leave Procedure
- Parental Leave Procedure
- Parents Leave Procedure
- Paternity Leave Procedure
- Shorter Working Year
- Research Grant for Returning Carers Procedure
- Guidelines for Managing Probation
- Health & Safety Essentials Booklet

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