

Parental Leave Procedure

1. Purpose

- 1.1 This procedure specifies the arrangements in place at the University of Limerick for the administration and monitoring of the University's Parental Leave procedure.

2. Scope

- 2.1 It is the policy of the University of Limerick to introduce and fully implement the terms and provisions of the Parental Leave (Amendment) Act 2019 having regard to the University's operational requirements.

3. Entitlement to Parental Leave

- 3.1 Each parent is entitled to 26 weeks Parental Leave for each child. Parental Leave is unpaid.
- 3.2 The leave must be taken before the child reaches 16 years of age.
- 3.3 A provision of the above act is the extension of parental leave entitlements to persons acting in loco parentis in respect of an eligible child.

4. Minimum Service Requirement

- 4.1 An employee must have at least one year's continuous service with the University before being entitled to take Parental Leave. However where the employee has more than three months' but less than one month's service and where the child is approaching the age threshold, the employee will be entitled to one week's leave for every month of continuous employment completed with the University.

5. Manner in which Parental Leave may be Taken

- 5.1 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, College or Division.
- 5.2 An employee is not entitled to any more than 26 weeks leave per child.
- 5.3 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 other wise. However, this restriction does not apply in the case of a multiple birth (i.e. twins, triplets, etc.).

- 5.4 Where both of the parents of a child are entitled to parental leave in respect of the child, and where both parents are employed by the University, either parent shall be entitled to the parental leave of the other parent, or may transfer part or all of his / her parental leave to the other parent.

6. Application for Parental Leave

- 6.1 An employee wishing to avail of Parental Leave must give written notice of their intention to take Parental Leave by submitting the Absence/Leave Application Form **no later than 6 weeks before** the proposed commencement of the leave. The notice must include the following details:

- The date on which the employee intends to commence leave;
- The duration of the leave;
- The manner in which the employee wishes to take the leave;
- The employee's signature; and,
- The Manager/Head of Departments signature.

However, the University, at its discretion, may waive all or part of the notification.

- 6.2 The University may require the employee to provide evidence of his/her entitlement to Parental Leave (e.g. the child's date of birth: the date of adoption or evidence of parentage).

7. Confirmation of Parental Leave

- 7.1 On completion of the Absence/Leave Application form it should be returned to Human Resources so that a letter of confirmation will issue prior to commencement of the leave.
- 7.2 Once the Absence/Leave Application form has been signed by both parties it cannot be altered unless both parties agree.
- 7.3 An employee may revoke **in writing** his/her notice of intention to take Parental Leave at any time before the confirmation document is signed.
- 7.4 The University may decide to postpone the parental Leave for up to 6 months if satisfied that granting the leave would have substantial adverse effect on its operations by reason of seasonal variation, if there are difficulties in finding a replacement or if a number of employees are already availing of Parental Leave.
- 7.5 Postponement will be in writing no later than 4 weeks before the proposed date of commencement of the leave and will specify the grounds for the postponement.

- 7.6 Consultation with the employee will take place before any notification of postponement is issued.

8. Termination of Parental Leave

- 8.1 Parental Leave must only be used to take care of the child concerned. The University may terminate the leave if there are reasonable grounds to believe that it is being used for a purpose other than care of the child concerned.
- 8.2 Before terminating the leave the University will notify the employee in writing of its intention to do so and will invite the employee to make whatever representations he/she may deem necessary on the matter within 7 days. The University is obliged to consider the employee's submission before deciding whether or not to terminate the leave.

9. Refusal to Grant Parental Leave

- 9.1 The University may refuse in writing to grant Parental Leave if there are reasonable grounds to believe that the employee is not entitled to such leave.
- 9.2 The employee may make representations on the matter within 7 days of the refusal and the University will consider the employee's submission, giving reasons for the refusal.

10. Return to Work

- 10.1 An employee is entitled to return to work at the end of the period of Parental Leave in the job held immediately prior to the leave or to his/her normal job as soon as is practicable, under the same contract, terms and conditions of employment.
- 10.2 If it is not reasonably practicable for the University to allow an employee to return to the job held immediately prior to the leave suitable alternative employment will be provided under a new contract of employment. The terms and conditions of the alternative employment will not be substantially less favorable to the employee than the terms of his/her original job.