



Purpose: DITSU CLG Protected Leave Policy

Policy:

All Protected leave will be in compliance under the Statute.

This policy is to provide DITSU staff with details on the entitlements and rights whilst on protected leave, the periods of notification and returning to work when leave has ended.

This policy covers:

- Maternity Leave
- Paternity Leave
- Adoptive Leave
- Parental Leave
- Carer's Leave

Procedures:

Maternity protection Acts 1994-2004

If you become pregnant while in employment, you are entitled to 26 weeks' maternity paid leave less any social welfare benefits payable on foot of PRSI.

You can begin and end your maternity leave on any day you choose but you must:

- take at least two weeks leave before the end of the week that the baby is due; and
- take four weeks' leave after the baby is born

Additional Maternity leave

You are entitled to take up to a further 16 weeks' additional unpaid maternity leave in a row beginning immediately after the end of maternity leave.

Public holidays and Annual leave

Your annual leave continues to build up as normal while you're on both the standard maternity leave and the additional unpaid maternity leave. You are entitled to be credited for any public holiday that occurs during their leave.

Stillbirth or Miscarriage

If you have a stillbirth or miscarriage any time after the 24th week of pregnancy, you are entitled to full maternity leave.

Early birth

If your baby is born more than 4 weeks before your due date, you are required to give HR written notice within 14 days of the birth.

Late Birth

Where a late birth means that an employee has less than four weeks maternity leave remaining after the week of confinement paid maternity leave may be extended to up to four weeks after the birth.

During the extension full pay less social welfare entitlements will be paid. The likely need for an extension of maternity leave must be provided in writing as soon as possible.

In the case of multiple births an additional two weeks paid maternity leave is allowed.

Hospitalisation of new born:

In the event of hospitalisation of a new born child the mother will have the option of splitting or postponing the period of maternity leave/additional maternity leave. This provision is available only as long as 14 weeks maternity leave have been taken, four of which would need to be taken after the week of confinement, paid maternity leave will count as service.

Sick leave following maternity is allowed only where DITSU is satisfied that the staff member intends to return to her position when fit to do so

Payment entitlement

If an employee has less than twenty-two (22) weeks to run in their contract from the date of commencement of maternity leave, they will receive paid maternity leave until their contract expires.

The granting of paid maternity leave will be subject to the following conditions:-

- that the staff member makes the necessary claims for social insurance benefit to the Department of Social and Family Affairs within the required time limits and complies with whatever requirements are laid down by the Department as a condition of claiming benefit.
- You must submit all Social Welfare Payments received by you to DITSU Clg during your absence from work.

If you fail to comply with any of the above you may be in breach of DITSU Clg's maternity pay policy, which may exclude you from the scheme.

Breast feeding

If you are breastfeeding you are entitled to take time off work each day in order to breastfeed. The provision applies if you have given birth within the previous 6 months. DITSU Clg are not obliged to provide breastfeeding facilities in the workplace. The woman breastfeeding can have their working hours reduced (without loss of pay) to facilitate breastfeeding as facilities are not available.

Women who are breastfeeding are entitled to take 1 hour (with pay) off work each day as a breastfeeding break. This time may be taken as;



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- One 60 minute break
- Two 30 minute breaks
- Three 20 minute breaks

Part-time workers are also entitled to breastfeeding breaks, calculated on a pro-rata basis.

Women that wish to breastfeed in employment must notify HR in writing of their intention to breastfeed at work. You must confirm this information at least 4 weeks before the date you intend to return to employment from maternity leave.

Medical visits/ Ante-natal classes and Notice

Once your pregnancy is confirmed you may take reasonable, paid time off for medical visits connected with the pregnancy. There is no maximum or minimum amount of time off specified for these visits. You are entitled to be paid for attending medical appointments both before and after the birth, up to 14 weeks after.

You will need to provide HR with medical evidence confirming the pregnancy, giving two weeks' notice of your medical visits.

DITSU employees must give HR at least four weeks' written notice of your intention to take maternity leave and you must also provide a medical certificate confirming your pregnancy.

If you intend to take the additional 16 weeks' maternity leave you must provide at least four weeks' written notice. Both these notices can be given at the same time.

Paid time off is allowed for attendance at one set of ante natal classes which have to happen during working hours other than the last three classes. Evidence of appointment or attendance at the clinic will be required in writing and two weeks' written notice of each visit is required.

The father has a right to paid time off for the purposes of attending only the last two antenatal classes in the set.

Medical certification

If you are certified by your doctor as needing to start maternity leave for medical reasons, your maternity leave will start on the earlier date as specified on the medical certificate. In this case you are considered to have complied with the notice requirements.

Return to work

You must give at least four weeks' written notice of your intention to return to work. It is important to comply with these notice requirements, as failure to do so may cause loss of rights. You must notify the CEO as soon as possible if you wish to postpone your maternity leave

In the case of multiple births an additional two weeks paid maternity leave is allowed.

Paternity leave



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Fathers are entitled to 2 weeks' statutory paternity leave from employment following the birth or adoption of a child on or after 1 September 2016.

Fathers are entitled to maternity leave if the mother dies within 40 weeks of the birth. In these circumstances, the father is entitled to a period of leave, the extent of which depends on the actual date of the mother's death. If the mother dies within 24 weeks of the birth he has an optional right to the additional maternity leave. If the mother's death is over 24 weeks after the birth, the father is entitled to leave until 40 weeks after the birth. The leave starts within 7 days of the mother's death.

Adoptive leave Act 1995-2005

Under the Adoptive Leave Act 1995, as amended by the Adoptive Leave Act 2005 only the adoptive mother is entitled to avail of adoptive leave from employment, except in the case where a male is the sole adopter.

You are entitled to 24 weeks' adoptive leave. You are also entitled to take 16 weeks' additional unpaid adoptive leave after your adoptive leave ends.

Public holidays and annual leave

You are entitled to leave for any public holidays that occur during your adoptive leave including additional adoptive leave.

Time spent on adoptive leave including additional adoptive leave is treated as though you have been in employment, and this time can be used to accumulate annual leave and public holiday entitlement.

Notice

Employee must confirm in writing the expected date of placement of the child as soon as is reasonably practicable with at least four weeks' notice given.

Notice of your intention to apply for this additional leave should be in writing to HR, a minimum of 4 weeks prior to the date you were due to re-commence duty.

In the case of Irish adoptions DITSU employees must provide a certificate of placement as soon as possible but no later than four weeks after the day of placement.

In the case of foreign adoptions DITSU employees must provide a declaration of suitability before the commencement of adoptive leave.

Paid adoptive leave will count as service.

The employee has the same rights to return to work as with maternity leave, and must also give 4 weeks' notice of the intention to return.



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Sick leave following adoptive leave

Will be allowed only where DITSU is satisfied that the staff member intends to return to her position when fit to do so

If an employee has less than twenty (20) weeks to run in their contract from the date of commencement of adoptive leave, they will receive paid adoptive leave until their contract expires.

Parental Leave Act 1998-2006

Parental Leave allows parents to take parental leave from employment in respect of certain children. A person acting in loco parentis with respect to an eligible child is also eligible.

Since 8 March 2013 the amount of parental leave available for each child amounts to a total of 18 working weeks per child.

Where an employee has more than one child, parental leave is limited to 18 weeks in a 12-month period. Parents of twins or triplets can take more than 18 weeks of parental leave in a year.

If both parents are employed in DITSU, you can only claim your own parental leave entitlement (18 weeks per child). If both parents are employed by DITSU, permission is required by HR to transfer 14 weeks of your parental leave entitlement to each other. This will be down to the discretion of the CEO.

You are not entitled to pay while you are on parental leave nor are you entitled to any social welfare payment

Age of child

Leave can be taken in respect of a child no later than the child's 8th birthday. If a child was adopted between the age of 6 and 8, leave in respect of that child may be taken up to 2 years after the date of the adoption order.

In the case of a child with a disability or a long-term illness leave may be taken up to 16 years of age. In addition an extension may also be allowed where illness or other incapacity prevented the employee taking the leave within the normal period.

Illness of parent

If the parent becomes ill while on parental leave and is unable to care for the child the leave can be suspended for the duration of the illness.

In order to suspend the parental leave DITSU employees must give written notice and relevant evidence of the illness as soon as is reasonably practicable.

The parental leave resumes after the illness. During the illness the parent is treated as an employee who is sick.



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If your annual leave falls during parental leave, it may be taken at a later time. You are entitled to any public holidays that occur while you are on parental leave. Your public holiday entitlement can be added to the end of your parental leave.

Notice

You must give at least 6 weeks written notice before the leave is due to start of your intention to take parental leave. The notice should state the starting date and how long the leave will last. After this not less than four weeks before the leave is due to start, you will need to sign a document confirming the details of the leave.

You must have been working for DITSU Clg for a year before you are entitled to parental leave. However if your child is very near the age threshold and you have been working for DITSU for more than 3 months but less than one year you are entitled to pro-rata parental leave

Careers Leave Act 2001

Employees are allowed to leave their employment temporarily to provide full-time care for someone in need of full-time care and attention.

You are entitled to take carer's leave of at least 13 weeks up to a maximum of 104 weeks.

Carer's leave from employment is unpaid but the Carer's Leave Act ensures that those who propose to avail of carer's leave will have their jobs kept open for them for the duration of the leave. You may be eligible for Carer's Benefit if you have enough PRSI contributions

You must have worked for your employer for a continuous period of 12 months to be eligible for carer's leave

You are only entitled to annual leave and public holidays in respect of the first 13 weeks of carer's leave.

Taking carer's leave

You may apply to take carer's leave in one continuous period of 104 weeks or for a number of periods not exceeding a total of 104 weeks. If you do not take carer's leave in one continuous period, there must be a gap of at least 6 weeks between the periods of carer's leave. You must give at least 6 weeks' notice of your intention to take carer's leave.

The minimum statutory entitlement to carer's leave is 13 weeks.

Confirmation of carer's leave

Written confirmation of the arrangement must be documented. The document must include the date when you wish to commence carer's leave, the duration of your carer's leave, and



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the form in which your leave will be taken. The document of your arrangement should be signed by you and HR. A copy is kept on file and a copy is given to the employee.

Returning to work

You must give notice in writing, 4 weeks before the date you will return to work, that you intend to return to work.