



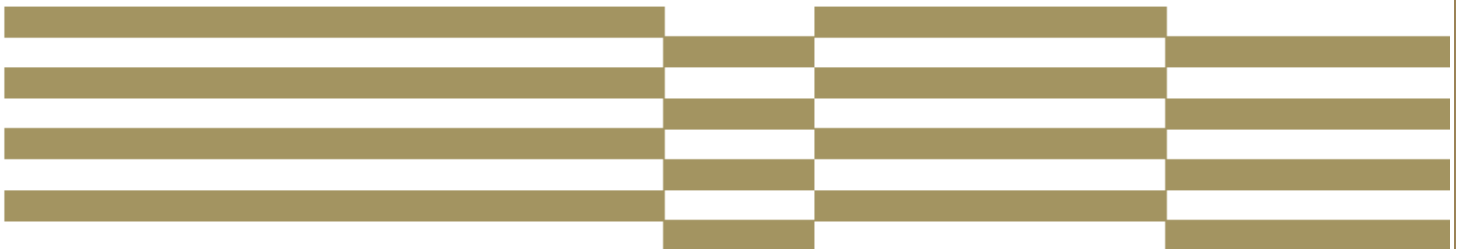
# TUS

**Technological University of the Shannon:  
Midlands Midwest**

Ollscoil Teicneolaíochta na Sionainne:  
Lár Tíre Iarthar Láir

## Parental Leave Policy

**Human Resources Department**





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<b>Revision No</b>	<b>Comments/Summary of Changes</b>
1.0	AIT/LIT policies reviewed with differences identified and agreed for a TUS Policy. All Unions consulted and changes agreed.
1.1 (June 2023)	Application method updated with the ESS procedure
1.2 (Jan 2024)	Changed in line with Information Note ESR ETB 0004/2023 regarding eligibility of entitlement

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## 1. Policy and Scope

- 1.1 This policy is governed by various circular letters issued by the relevant Departments and current Parental Leave legislation which provides for an employee of the Technological University of the Shannon: Midlands Midwest (TU), who is either a parent or in a position of loco parentis of a child, to take approved **unpaid** leave of absence, to care for the child.
- 1.2 This policy is intended to provide employees of the TU with details on the eligibility criteria and entitlements to parental leave, the periods of notification for parental leave, the patterns of parental leave that will be considered by the TU, and the employee's rights whilst on parental leave.
- 1.3 It is a condition of parental leave that it is used for the care of the eligible child concerned.
- 1.4 The Human Resources Department will retain all data relating to parental leave in a confidential manner in accordance with the Data Retention Schedule.

## 2. Eligibility and Entitlements

- 2.1 Parental leave is unpaid leave for 26 weeks (130 days), per qualifying child (since 1<sup>st</sup> September 2020). Part-time employees are entitled to a pro-rata entitlement.
- 2.2 The age limit in respect of the child for whom employees may take parental leave in the TU, is up to their 16th birthday. In the case of adoption, if the child is under 13 years at the time of the adoption, the leave must be taken before the child reaches their 16th birthday. However, if the child is aged between 13 and 15 years at the time of the adoption, the leave must be taken within two years of the adoption order.
- 2.3 All employees must have completed one year's continuous service with the TU before the commencement of parental leave. Where the child is approaching their 16<sup>th</sup> birthday, and the employee has more than three months', but less than one year's continuous service, there is a provision for pro-rata parental leave.
- 2.4 Where a parent has an entitlement to parental leave in respect of more than one child, the leave period cannot exceed 26 weeks in any 12-month period, unless by agreement with the TU. In the event of a multiple birth, this restriction does not apply.

2.5 Parental leave is non-transferable between the parents, except where both parents work for the TU, and is subject to the TU's agreement. In these circumstances, the first 14 weeks may be transferred.

### 3. Application Procedure and Guidelines

3.1 The employee must communicate to their line manager/supervisor their intention to take parental leave. The employee and the line manager/supervisor should consider the intended start date, the duration and pattern of the leave, and alternative arrangements for the carrying out of the duties of the employee's role.

3.2 If the line manager/supervisor is concerned that the parental leave of the employee during the period in question would have an adverse effect on the overall work of their department/function, the commencement of the parental leave can be postponed for a period not exceeding 6 months. In such cases, employees will be consulted, and the TU will supply a "statement in summary" of the reason for postponement. Generally, the employer may postpone the leave only once in respect of any particular child. If, however, the reason for the postponement is seasonal variations in the volume of work, the leave may be postponed twice in respect of the same child.

3.3 Once arrangements are agreed between the employee and the line manager/supervisor, the employee should give notice to the relevant Human Resources Department via the Employee Request facility on the Employee Self Service System (ESS), and confirmation will be received in writing. This should be submitted at least **6 weeks** prior to the expected commencement of the period of parental leave. A copy of the child's birth certificate / adoption order must be provided.

3.4 Where parental leave is approved and confirmed in writing to the employee by the Human Resources Department, requests to adjust the period and/or pattern may be accommodated in exceptional circumstances only.

3.5 Parental leave may be backfilled on a specified purpose basis. Such contracts will cease when the parental leave period ends.

3.6 To ensure preservation of social insurance records, employees should contact the Department of Social Protection (DSP) to ensure that appropriate credits are made during a period of parental leave.

## **4. Pattern of Parental Leave**

- 4.1 There is a statutory entitlement to parental leave of 26 weeks per child. The leave may be taken in one continuous period, or over a number of periods of a minimum of six weeks. Subject to the TU's agreement, a combination of lesser periods of leave, not to exceed the overall period of 26 weeks, may be taken.
- 4.2 An employee who is returning to work from parental leave may request a change in their working hours or pattern of work for a set period of time. Any such request must be considered by the TU; however, there is no obligation to grant same. An employee must submit notification not later than 6 weeks, before the proposed commencement of the set period, to their line manager/supervisor who will respond not later than four weeks, from receipt of the request.

## **5. Protection of Employment Rights**

During a period of parental leave, employment rights, except the right to remuneration and superannuation benefits, are unaffected.

The employee is entitled to return to a position under conditions which are not less favourable than those before the parental leave commenced.

### **5.1 Annual Leave**

In the case of professional, management and support employees, annual leave will continue to be accrued while on parental leave. Where closure days fall during the parental leave period, these days (half day or full day as appropriate), will be added to the end, of the parental leave period.

In the case of academic employees, leave in lieu of statutory annual leave occurring while on parental leave will be comprehended through days at Easter, Summer and Christmas, when there are no Lectures/Teaching/Assessments as per the TU's Academic Calendar (i.e., outside of term time).

### **5.2 Public Holidays**

Where public holidays fall during the parental leave period, these will not be recorded as parental leave.

### 5.3 Sick Leave

If an employee becomes ill while on parental leave and, as a result, is unable to care for the child, the parental leave can be suspended for the period of the sick leave and recommenced afterwards. This can be facilitated, where requested by the employee and once medical certification is provided.

### 5.4 Superannuation

Periods of unpaid parental leave are non-reckonable for superannuation purposes. With effect from 9 February 2018, arrangements on “Pension Accrual for Parental Leave” as set out by the Remuneration, Industrial Relations and Pensions Division will apply. Further information is available from Human Resources Pensions section.

### Queries

For enquiries on this policy please contact the relevant HR Department:

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