

## 1. PURPOSE / AIM

- 1.1 In line with the Parental Leave (Amendment) Act 2019 (the "2019 Act") LauraLynn, Ireland Children's Hospice ("LauraLynn") provides all staff, who are the natural or adoptive parents of a child or who are acting in loco parentis of an eligible child, with periods of **unpaid** parental leave to take care of a qualifying child. The following policy provides more details on the terms and conditions associated with the LauraLynn Parental Leave policy.

## 2. SCOPE

- 2.1 This policy applies to all eligible employees of LauraLynn, including part-time (granted on a pro rata basis) and temporary employees. Eligible employees are staff members who are the natural parents, adoptive parents or who are acting in loco parentis of children under the age of 16 and who have successfully completed one year's continuous service with LauraLynn and provided that they meet the conditions outlined below.

## 3. DEFINITIONS

- 3.1 Parental Leave: *"Leave from work for parents on the grounds of the birth or adoption of a child, to take care of that child."*
- 3.2 Eligible Staff: An employee of LauraLynn who has successfully completed one year's continuous service with LauraLynn and who is the natural or adoptive parent of a child or who is acting in loco parentis of an eligible child.
- 3.3 Eligible Child: A child under the age of 16 in all cases including for parents of children with a disability or long-term illness and in the case of adoption.

## 4. RESPONSIBILITIES

- 4.1 It is the responsibility of all staff to comply with the content of this policy and to liaise with the Human Resources Department for clarification where needed.
- 4.2 It is the responsibility of all managers to facilitate parental leave requests including facilitating the timing of the parental leave request where possible and subject to service needs/business needs.

## 5. POLICY

- 5.1 **26 weeks:** Under the Parental Leave (Amendment) Act 2019 - from 01<sup>st</sup> September 2020 all eligible staff members who are the natural or adoptive parents or in a position of loco parentis of a child are entitled to 26 weeks leave. This is exclusive of holidays, or time spent on maternity or adoptive leave.

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- 5.2 All parental leave must be taken before the child reaches the age of 16.
- 5.3 **Adopted Child:** If the child is 11 years old or more but less than 16, at the date of the adoption of that child, the parental leave must be taken within four years of the adoption order.
- 5.4 **Abuse of Parental Leave:** Parental leave is granted for the sole purpose of taking care of the child. It is not to be used for any other reason e.g. to take up another job. LauraLynn may terminate parental leave if it is not being used for the intended purpose. The staff member may also be subject to disciplinary action, up to and including dismissal.
- 5.5 Each parent has a separate entitlement to parental leave from his or her job. With prior approval from senior management, parental leave may be transferred from one parent to another if both parents are employees of LauraLynn.
- 5.6 Where a parent has more than one child, no more than 26 weeks' parental leave may be taken in any 12-month period, except in the case of multiple births.
- 5.7 An employee must have one year's continuous service with LauraLynn before he/she is entitled to take parental leave. However, in the case where the parent has more than three months service with LauraLynn and the child is approaching the age threshold, then the parent will be entitled to one week parental leave for every month of continuous employment completed with LauraLynn.
- 5.8 When applying for parental leave, staff members must fill out and submit an application form (see attached) to the Human Resources (HR) Department not later than six weeks before the commencement of the leave. The request must specify the commencement date, duration, the employee's signature and mechanism for taking parental leave. – see section 4)
- 5.9 Should a staff member who is on parental leave fall ill and is unable to care for the child then he/she may suspend the leave for the duration of the illness. The LauraLynn sick leave rules will then apply. Proof (e.g. medical certificate) must be submitted to the Head of Department before any parental leave is suspended. On completion of the certified leave, the staff member may resume parental leave. A "fitness for work" certificate may be required.
- 5.10 Staff members, who wish to revoke notice of intention to take parental leave, must do so in writing to their Head of Department and HR Department at least four weeks before the leave is due to commence. Staff members can only revoke notice to parental leave in writing.

## **6. Manner in Which Parental Leave May Be Taken**

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6.1 Parental leave may be taken as a continuous block of 26 weeks or, by prior agreement with LauraLynn, may be broken up into periods of weeks or days. If taken in blocks the organisation may require a gap between each block. The final decision regarding the manner in which the leave may be taken rests with LauraLynn. The organisation may decide to postpone the parental leave for up to six months if satisfied that granting the leave would have an adverse effect on service.

6.2 Parental leave will be granted at a time that is mutually agreeable to the staff member and the Head of Department, taking into account the needs of the department. The final decision regarding the timing of the leave rests with LauraLynn.

6.3 Where a staff member qualifies for parental leave in respect of more than one child, the staff member may not take more than 26 weeks parental leave in any 12 month period unless authorised by senior management. However this restriction does not apply in the case of multiple births (i.e. twins, triplets etc).

6.4 Parental Leave and Public Holidays:

Where a public holiday falls during parental leave the following will apply:

6.4.1 For continuous block of parental leave: Paid public holiday will be added to the end of the continuous period of parental leave.

6.4.2 For shorter periods of parental leave (e.g. one day per week) - parental leave will be suspended on the day the public holiday falls and the day will instead be treated as a paid public holiday as normal. The parental leave day will then be added to the end of the parental leave period.

6.5 Parental leave is separate to paternity leave. For information on this type of leave please see LauraLynn policy on paternity leave.

## **7. PROTECTION OF EMPLOYMENT RIGHTS**

7.1 A staff member on parental leave is regarded as remaining in the employment of LauraLynn during the absence and retains all employment rights (including annual leave and public holidays) except the right to remuneration and superannuation benefits.

7.2 All probation and training periods will be suspended whilst the member of staff is on parental leave.

## **8. NOTIFICATION PROCEDURES**

8.1 Applications may be made by submitting a "Parental Leave Application Form (see attached) to the Head of Department six weeks in advance of the employee's intended start date of the parental leave.

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Note: The birth certificate/adoption order of the child for which the parental leave is being taken must accompany the application form being submitted.

8.2 Written notification will be sent to the staff member confirming whether the leave has been granted for the dates requested.

## **9. APPEALS**

9.1 If a member of staff has a grievance relating to their parental leave they should refer the matter to the HR Department.

### **PARENTAL LEAVE - APPLICATION FORM**

|                                                      |                             |                |
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**Note:** You are entitled to a maximum of 26 weeks unpaid parental leave to be taken before your child reaches his/her 16<sup>th</sup> birthday. This form must be submitted to the Human Resources Department six weeks prior to the proposed start date of the parental leave. For first time applications, the child's original birth certificate should be submitted to the HR Department with this form. The certificate will be photocopied and returned to you immediately.

|                         |  |                               |  |
|-------------------------|--|-------------------------------|--|
| <b>Employee's Name:</b> |  | <b>Employee Number:</b>       |  |
| <b>Department:</b>      |  |                               |  |
| <b>Child's Name:</b>    |  | <b>Child's Date of Birth:</b> |  |

I wish to apply for unpaid parental leave for my child named above. The leave I am applying for is as follows:

|                           |  |                              |  |
|---------------------------|--|------------------------------|--|
| <b>First Date (from):</b> |  | <b>Final Date (to):</b>      |  |
| <b>Number of Days:</b>    |  | <b>Application Date:</b>     |  |
| <b>Signed (Employee):</b> |  | <b>Signed: (Dept. Head):</b> |  |

## CONFIRMATION OF PARENTAL LEAVE (TO BE COMPLETED BY HUMAN RESOURCES DEPARTMENT)

Leave Granted: ☐ Yes ☐ No

## PARENTAL LEAVE SUMMARY

|                                                                                                                                                                                                                                      |  |                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------|
| <b>Entitlement:</b><br>26 weeks per child under the age of 16 years = 130 days<br>26 weeks = 962 hrs for 37hr week contracts; 975hrs for 37.5hr week contracts and 1,014hrs for 39 hr week contract.<br>(Part time staff – pro rata) |  | Days / Hours (delete as appropriate) |
| <b>Less leave taken to date:</b>                                                                                                                                                                                                     |  | Days / Hours (delete as appropriate) |
| <b>Less leave requested on this occasion:</b>                                                                                                                                                                                        |  | Days / Hours (delete as appropriate) |
| <b>Remaining par leave to be taken before child's 16<sup>th</sup> birthday:</b>                                                                                                                                                      |  | Days / Hours (delete as appropriate) |

Signed: \_\_\_\_\_  
(Human Resources Department)

Date: \_\_\_\_\_

|                                                      |                             |                |
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