

GUIDE TO PARENTS' LEAVE

Parents' Leave is applicable to any parent whose child was born or adopted on or after 1st November 2019 to relevant parents.

PARENTS' LEAVE ELIGIBILITY

A relevant parent can be deemed as:

- A parent/s or adopting parent/s
- A spouse, civil partner or cohabitant of the parent/adopting parent of the child
- A parent of a donor conceived child as provided for under section 5 of the Children and Family Relationships Act 2015
- Each member of a married couple of the same sex, a couple that are civil partners of each other, or a cohabiting couple of the same sex.

PARENTS' LEAVE ENTITLEMENT

Employees deemed relevant parents are entitled to 2 weeks leave or the amount applicable by law within the first year of the child's birth or adoption up to 31st March 2020. Each relevant parent has the same number of weeks entitlement. As of 1st April 2021 Parents' Leave entitlement increases to 5 weeks per parent and the leave may be taken within the first 2 years of the child's birth or adoption.

Parents' Leave may be taken in a continuous block or a period of no less than 1 week. Parents' Leave may not be transferred from one parent to another unless there are very specific justifiable reasons such as the death of one of the parents.

Parents' Leave may not be refused unless the employee is not entitled to it.

NOTIFICATION OF PARENTS' LEAVE

At least 6 weeks' notice in writing must be provided by the employee to the employer. The notification must include the start and end date of the Parents' Leave.

PARENTS' LEAVE BENEFIT

Employee's may be entitled to receive Parent's Benefit from the Department of Employment and Social Protection dependent on their PRSI contributions. Applications for the Parents' Leave Benefit must be made at least 6 weeks prior to the start of the Parents' Leave.

There is no obligation on employers to top up employees' salaries with the difference between the benefit and their normal pay.

POSTPONEMENT OF PARENTS' LEAVE

Parents' Leave may be postponed by the employer for up to 12 weeks for one of the following reasons:

- Seasonal variations in the volume of work
- No replacement to carry out your work
- The nature of your duties.
- The number of other employees also taking Parents' Leave.
- Any other relevant matters.

Employers must discuss the reasons why Parents' Leave is being postponed prior to it happening and new dates must be agreed. Consideration for the employee's circumstances should be taken into account before reaching a final decision on postponement.

If you would like more tailored advice on managing Parents' Leave or any other employment matter please contact Peopletime Ltd on 057 9308720 or email info@peopletime.ie