



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Oifig an Stiúirthóra Náisiúnta, Acmhainní Daonna
Feidhmeannacht na Seirbhíse Sláinte
Ospidéal Dr. Steevens'
Baile Átha Cliath 8

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HSE HR Circular 006/2013

March 25th 2013

**To: Each Member of Management Team, HSE;
Each Regional Director of Operations, HSE;
Each Assistant National Director of Human Resources, HSE;
Each Employee Relations Manager, HSE;
Each CEO & HR Manager, Intellectual Disability Sector
Each CEO & HR Manager directly funded Voluntary Hospital / Agency;**

Re: Amendment to Parental Leave Entitlements

Dear Colleague,

The parental leave arrangements for health service employees have been amended in accordance with the European Union (Parental Leave) Regulations, 2013 (S.I. No. 81 of 2013), which give effect to EU Council Directive 2010/18/EU. These Regulations provide for the granting of additional parental leave from 14 weeks to 18 weeks, extend the maximum age limit in the case of a child with a long-term illness and allow employees to request changes in working hours and/or patterns following return to work from parental leave.

Effective Date

The new provisions are effective from **8 March, 2013**.

Increase in Parental Leave

The amount of parental leave is being increased from 14 working weeks to 18 working weeks:

The new parental leave entitlement of 18 weeks will apply to employees whose child does not exceed the maximum age limits:



All Queries to: Individual employees who have queries in relation to the application of this Circular must contact their local Employee Relations/HR Department

Queries from HR and Employee Relations in relation to the implementation of this Circular please contact: Corporate Employee Relations Services, HSE HR Directorate, 63-64 Adelaide Road, Dublin 2, Tel: 01-662 6966, email info.t@hse.ie

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- In accordance with **HSE HR Circular 003/2011**, the maximum age of the child in respect of whom health service employees may take parental leave is **13 years** (the statutory age limit is 8 years).
- In the case of a child with a disability, the upper age limit is **16 years**.

The new parental leave entitlements will apply to all eligible employees, regardless of whether or not previous parental leave has been taken in respect of the child. If the employee has availed of some or all of their parental leave entitlement (prior to 8 March, 2013), then the employee will be entitled to the new amount (18 weeks) less any period already taken. If the child is over the eligible age, then no entitlement arises.

The parental leave entitlement of 18 weeks applies to each child. Where an employee has more than one child, parental leave is limited to 18 weeks in a 12-month period. This restriction does not apply to multiple births (e.g. twins, triplets).

Transfer of Parental Leave

Only 14 of the 18 weeks can be transferred between qualifying parents where both parents are employed by the same employer (and subject to the employer's consent). At least four weeks are non-transferable between parents.

Parental Leave in respect of a child with long term illness

In the case of a child with a disability, the parental leave must be taken before the child attains the age of sixteen years. The same age limit now applies to a child with a long term illness.

Long-term illness, in this context, means an illness, the effect of which is that the level of care required for the child is substantially more than the level of care that is generally required for children of the same age who do not have any such long term illness.

Right to Request changes to working hours or patterns (or both)

An employee returning to work from parental leave may request changes to his or her working hours or patterns (or both) for a set period of time. The employer is obliged to consider and respond to such requests, taking into account both the employer's and employee's needs. However, there is no obligation on the employer to grant the change in work pattern.

Employees should submit their request in writing as soon as reasonably practicable, but not later than six weeks before the proposed commencement of the set period of time concerned, specifying the nature of the changes requested and the date of commencement and duration of the set period requested.

Employees should be informed in writing if the request is being granted or refused as soon as reasonably practicable, but not later than four weeks after receiving the employee's application.



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If the employer agrees to amend the employee's working hours and/or work pattern, the new arrangements should be set out in writing and signed by both parties. The agreement should specify:

- The changes to the employee's working hours or patterns, or both, as the case may be, and
- The date of the commencement and duration of the set period.

The employer should retain the agreement and give a copy to the employee.


Prior to the signing of a agreement, an employee may revoke his or her request by giving notice in writing to the employer.

Please bring this Circular to the attention of all relevant staff within your area of responsibility.

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Yours sincerely



Barry O'Brien,
National Director of Human Resources.