



Oifig an Stiúrthóra Náisiúnta, Acmhainní Daonna

Feidhmeannacht na Seirbhísí Sláinte

Ospidéal Dr. Steevens'

Baile Átha Cliath 8

Office of the National Director of Human Resources

Health Service Executive

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**To:**

- Chief Executive Officer**
- Each National Director**
- Each Assistant National Director HR**
- Each Hospital Group CEO**
- Each Hospital Group Director of HR**
- Each Chief Officer CHO**
- Each CHO HR Manager**
- Each CEO Section 38 Agencies**
- Each HR Manager Section 38 Agencies**
- Each Employee Relations Manager**
- Each Group Director of Nursing & Midwifery**
- Each Group Director of Midwifery**
- Each Clinical Director**

25<sup>th</sup> July, 2019

**Re: HSE HR Circular 017/2019 re Parental Leave (Amendment) Act 2019**

Dear Colleagues,

The **Parental Leave (Amendment) Act 2019** (the “2019 Act”) commenced on 19 July 2019 and provides for a phased extension to the maximum period of unpaid parental leave for each child from 18 weeks to a final total of 26 weeks from 1 September 2020. Any parent who has already availed of their current entitlement of 18 weeks will be entitled to a further eight weeks of parental leave (subject to the age limits). Any parent who did not avail of the current entitlement of 18 weeks may take the remainder in addition to the increased entitlement of 8 weeks (subject to the age limits).

#### **Operative Date**

The 2019 Act provides that parental leave for parents of eligible children will increase from 18 working weeks to 22 working weeks from 1 September 2019 and from 22 working weeks to 26 working weeks from 1 September 2020.

Employees who work part-time are entitled to parental leave on a pro rata basis.

Managers are required to ensure that employees within their area of responsibility are informed of the increased parental leave entitlements so that they have an opportunity to apply now, in accordance with the statutory notification provisions, to avail of the additional leave of 4 weeks from 1 September 2019 should they wish to do so.

#### **Applying for Parental Leave**

The granting of the additional parental leave entitlements is subject to the statutory notification and confirmation provisions. Employees must give written notice to their employer of their intention to take parental leave at least **6 weeks** before the leave is due to start. The written notice should state the proposed commencement date of the leave, its duration and the manner in which the employee wishes to avail of the leave. Following receipt of the employee’s written notice, and not less than **4 weeks** before the leave is due to commence, a confirmation document specifying the date of commencement of the leave, its duration and the manner in which it will be taken should be prepared and signed by the employer and the employee.

### **Manner in which Parental Leave may be taken**

In accordance with Section 7 of the Parental Leave Acts 1998 to 2019, an employee has a statutory entitlement to take parental leave as follows:

- (i) the full amount as one continuous period, or
- (ii) in two separate periods of not less than 6 weeks and not exceeding the maximum amount in total, or
- (iii) in blocks of one or more weeks at a time (**note:** this provision is new).

An employee may also apply to take parental leave in days or hours and such requests are *subject to the agreement of the employer*. This provision has remained unchanged.

There is no change to the provision that allows qualifying parents who are employed by the *same employer* to transfer a period of their parental leave, *not exceeding 14 working weeks*, to the other parent, subject to the consent of the employer. The amount of parental leave in excess of 14 weeks is non transferable.

### **Age limits**

The 2019 Act amends the existing age limits and provides that parental leave must be taken before the child attains the age of 12 years of age. The Act also increases the age limits that apply to adopted children. The amendment to the statutory age limit from 8 to 12 years will not affect public health service employees as HSE HR Circular 003/2011 provides that parental leave must be taken before the child is 13 years of age. In the case of an adopted child, where the child is eleven years or more but less than age thirteen, the parental leave must be taken within two years of the adoption order. In the case of a child with a disability or a long-term illness, the age limit is sixteen years. 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. The relevant HSE HR Circulars are available on the HSE's website by clicking the following links ([HSE HR Circular 003/2011](#) and [HSE HR Circular 006/2013](#)).

### **Social Welfare Arrangements**

Employees on parental leave, who are covered by social insurance, are entitled to credited PRSI contributions from the Department of Employment Affairs and Social Protection. This will preserve the employee's record for social insurance purposes. Please note that information about credited PRSI contributions for employees who take parental leave is available from the DEASP website: [click here](#).

Please ensure that this Circular is brought to the attention of all relevant managers in your area of responsibility. In turn, line managers should bring this Circular to the attention of employees in their area of responsibility, whether in electronic format or in hard copy.

### **Queries**

Managers may refer any queries that they may have in relation to this Circular to their local HR / Employee Relations Department.

Queries from HR Departments on the contents of this Circular may be referred to Aoife O'Riordan, HSE Corporate Employee Relations, HR Directorate, 63-64 Adelaide Road, Dublin 2. Tel: 01 6626966, Email: [aoife.oriordan@hse.ie](mailto:aoife.oriordan@hse.ie)

Please note also that the National HR Help Desk is also available to take queries on 1850 444 925 or email: [ask.hr@hse.ie](mailto:ask.hr@hse.ie).

Yours sincerely,



**Rosarii Mannion**  
**National Director of Human Resources**