

LAW & POLICY GROUP

# GRIST



## IRELAND IMPLEMENTS PAID PARENT'S LEAVE AND BENEFIT SCHEME

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1 Nov 2019*

Parents in Ireland — including same-sex couples — can take two weeks' paid leave during the 12 months following a baby's birth or adoption occurring on or after 1 Nov 2019, under the [Parent's Leave and Benefit Act 2019](#). The new law, signed 24 Oct 2019, will gradually increase the parent's leave entitlement to seven weeks by 2021. Another [law](#) enacted earlier this year will allow parents to take unpaid parental leave of 26 weeks (up from 18 weeks) for children up to age 12 (up from 8) starting 1 Sep 2020.

### HIGHLIGHTS

Key provisions include:

- A parent must take the leave within the first 12 months after a child's birth or placement of adoption, but can extend this period in certain circumstances. The leave must be taken in increments of at least one week.
- Employees (including part-time and fixed-term contract) and self-employed workers are eligible. Parents who have multiple births or adopt more than one child at the same time will not receive additional paid parental leave.
- Leave payments will be at the same rate as maternity and paternity benefits — currently €245 per week. The Department of Employment Affairs and Social Protection will make the payment, and employers may provide additional pay so leave benefits equal salary.
- Parent's leave will be available on a "use it or lose it" basis, without any transfer of unused amounts between parents, unless one parent dies. A parent whose child dies during the 12-month period may continue taking any leave previously scheduled or can request leave within six weeks of the child's death.
- Employees wanting to take leave must notify their employer in writing at least six weeks before the proposed start date and must provide necessary documentation — for example, a birth or adoption certificate. Employers must set out in writing their reasons for refusing to grant leave.

- Employees can postpone requesting parent's leave and reschedule it. Special provisions will apply to employees who postpone leave due to their own sickness or their child's hospitalization. Employers can postpone an employee's leave request for up to 12 weeks if it would have a substantial adverse effect on the business.
- Employees on parental leave will retain their employment rights and have protection from termination or suspension while on leave. Employees can't be penalized for taking parental leave and are entitled to return to their normal job on the same employment terms and conditions prior to the leave.
- Sanctions for breaches of the law will be up to two weeks of pay.

## RELATED RESOURCES

### Non-Mercer Resources

- [Parent's Leave and Benefit Act 2019](#) (Oireachtas, 24 Oct 2019)
- [Press Release](#) (Department of Justice and Equality, 7 Oct 2019)

### Mercer Law & Policy Resources

- [Ireland To Increase Unpaid Parental Leave](#) (31 May 2019)
- [Ireland To Implement Paid Parental Leave and Benefit Scheme](#) (2 May 2019)

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