

# Ireland<sup>1</sup>

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For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the [members page](#) on the Leave Network website.

## **1. Current leave and other employment-related policies to support parents**

### **a. Maternity leave (responsibility of the Department of Social Protection)**

*Length of leave (before and after birth)*

- Forty-two weeks.
- It is obligatory to take at least two weeks before birth and four weeks after the birth.

*Payment and funding*

- A weekly maternity benefit rate of €262 is paid to qualifying persons for 26 weeks; the remaining 16 weeks is unpaid. Mothers who are already on certain social welfare payments are entitled to half-rate maternity benefit. Maternity benefit is taxable for all claimants.
- Maternity benefit is funded from the Social Insurance Fund, which is financed by contributions from employers and employees. Pay Related Social Insurance (PRSI) rates vary across different types of employment. However, the majority of employees pay 4 per cent of earnings and employers pay 11.05 per cent.

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### *Flexibility in use*

- Leave can be started between 16 and two weeks before the expected date of delivery.

### *Eligibility (e.g., related to employment or family circumstances)*

- To be eligible for maternity benefit, an employee or self-employed woman must meet certain conditions relating to payment of Pay Related Social Insurance (PRSI): for example, to have been employed for 39 weeks, during which PRSI was paid in the 12-month period before the first day of Maternity leave or 52 weeks of prior contributions paid in the case of self-employed.

### *Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother*

- Fathers are entitled to Maternity leave if the mother dies within 40 weeks of the birth. In these circumstances, the father is entitled to a period of leave, the extent of which depends on the date of the mother's death. If the mother dies within 24 weeks of the birth, he has an optional right to the additional Maternity leave. If the mother's death is over 24 weeks after the birth, the father is entitled to leave until 40 weeks after the birth. The leave starts within seven days of the mother's death.
- In the case of a child who is hospitalised, the mother may postpone her Maternity leave, if she has taken 14 weeks (including at least four weeks since the baby was born) up to a period of six months, with the agreement of the employer.

### *Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)*

- Members of the Civil and Public and Services Union (CPSU) and other public sector workers are entitled to 26 weeks' Maternity leave at full payment.

## **b. Paternity leave (responsibility of the Department of Social Protection)**

### *Length of leave*

- Two weeks.

### *Payment and funding*

- A weekly paternity benefit payment of €262.
- Funded as for Maternity leave and taxable for all claimants.

### *Flexibility in use*

- Paternity leave may be taken at any time within the first six months following the birth or adoption of a child, but must be taken consecutively.

### *Eligibility (e.g., related to employment or family circumstances)*

- To be eligible for paternity benefit, an employee or self-employed person must meet certain conditions relating to payment of Pay Related Social Insurance (PRSI): for example, to have been employed for 39 weeks, during which PRSI was paid in the 12-month period before the first day of paternity leave or 52 weeks of prior contributions paid in the case of self-employed.
- It is paid to an employee or self-employed person who is a relevant parent, defined as: the father of the child; the spouse, civil partner or co-habitant of the mother of the child; or the parent of a donor-conceived child. In the case of an adopted child, the relevant parent may include: the nominated parent in a married same-sex couple; the spouse, civil partner, or co-habitant of the adopting mother; or sole male adopter.

### *Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)*

- Employers can provide top-ups. All public sector, all workers receive a 100 per cent salary top-up; in the private sector, about 52 per cent of companies provide top-ups.<sup>2</sup> In total, Köppe (2023) estimates that about 55 per cent of fathers have access to top-ups.<sup>3</sup>

## **c. Parental leave (responsibility of the Department of Social Protection)**

### *Length of leave*

- Twenty six weeks per parent.
- Leave is an individual non-transferable entitlement. The one exception is when parents are employed by the same employer, in which case they can transfer a maximum of 14 weeks of their Parental leave entitlement to the other parent, subject to the employer's agreement.

### *Payment and funding*

- None.

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<sup>2</sup> Ibec Research Unit. (2020) *Paternity Benefit Report 2020*. Dublin: Irish Business and Employers Confederation.

<sup>3</sup> Köppe, S. (2023) 'Ireland's Paternity Leave: Sluggish Benefit Take-up and Occupational Inequalities', *Journal of Family Studies* (early view). doi: 10.1080/13229400.2023.2179527

### *Flexibility in use*

- Leave may be taken up to the child's twelfth birthday, and up to their sixteenth birthday in the case of children with disabilities and serious illnesses.
- Leave may be taken in separate blocks of a minimum of six continuous weeks. Employer's may grant shorter periods of leave at their discretion; for example, parents may break the leave into working days or hours (or a combination of both).
- Parents can be on leave together, for part of the period or for the whole period.
- If parents have more than one child, Parental leave is limited to 26 weeks in a 12 month period.
- If parents work part-time, their entitlement to parental leave is reduced on a 'pro-rata basis'.

### *Eligibility (e.g., related to employment or family circumstances)*

- All employees who have completed one year's continuous employment with their current employer. If the child is very near the age threshold and an employee has been working for a current employer for more than three months but less than one year, Parental leave can be used pro-rata.
- An extension of the *force majeure* provisions includes people in a relationship of domestic dependency, including same-sex partners.

### *Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to a person other than the parents*

- As leave is allocated per child, the leave period is doubled for parents of twins, and tripled for parents of triplets.
- Parents with a disabled child do not get additional Parental leave, but would be eligible for carer's leave and can take the leave until the child's sixteenth birthday.

### *Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)*

- Parental leave can be postponed for six months (to a date agreed upon by both the employer and employee) if the granting of the leave would have a substantial adverse effect on the operation of the business.
- An employee who falls ill while on Parental leave, and as a result is unable to care for the child, may suspend the Parental leave for the duration of the illness, following which period the Parental leave recommences.
- Statutory codes of practice specify the manner in which Parental leave and *force majeure* leave might be taken, and the manner in which an employer can terminate Parental leave.

#### **d. Parent's leave (responsibility of the Department of Social Protection)**

##### *Length of leave*

- Seven weeks per parent.
- Leave is an individual non-transferable entitlement, except in specified circumstances such as the death of one of the parents.

##### *Payment and funding*

- A weekly Parent's benefit of €262.
- Funded as for Maternity leave, taxable for all claimants.

##### *Flexibility in use*

- Parent's leave may be taken at any time within the first two years following the birth or adoption of a child.
- Parents must take Maternity/Paternity leave before Parent's leave.
- Employees who are entitled to Paternity leave and Parent's leave can take these leave entitlements in whichever order they wish subject to the relevant time limits.
- Leave may be taken as a continuous period of seven weeks or in individual weeks.
- Parents can be on leave together.

##### *Eligibility (e.g., related to employment or family circumstances)*

- The 'relevant parent' entitled to the leave includes an employed or self-employed: parent of the child, a spouse, civil partner or cohabitant of the parent of the child, a parent of a donor-conceived child, the adopting parent or parents of a child, the spouse, civil partner or spouse of the adopting parent of the child, as well as 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.
- A person who has satisfied the PRSI conditionality for maternity/paternity/adoptive benefit will be deemed to have satisfied the conditionality for Parent's benefit.

##### *Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to a person other than the parents*

- In the case of multiple births or the adoption of more than one child at the same time, a parent is only entitled to one period of Parent's leave.
- Where one of the parents entitled to leave dies within the period of 52 weeks following the birth or adoption of a child, the employed surviving parent of the child is entitled to a period of transferred Parental leave.

*Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)*

- The leave can be postponed by the employee in case the employee becomes ill after notifying their employer of their intention to take the leave or in the event of hospitalisation of the child.
- The leave can be also postponed by the employee if the date of placement of a child for adoption is postponed or where the child's birth occurs after the date selected by the employee as that on which parent's leave will begin. In these circumstances, the parent will be entitled to select another date, but must comply with the sequence of the leave (i.e., only after taking Maternity leave or transferred Paternity leave, where applicable).
- The leave can be postponed by the employer if taking the leave by the employee would result in substantial adverse effect on the operation of their business, profession or occupation. Reasons for postponement can include: the seasonal variations in the volume of work, the unavailability of another person to carry out the duties of the employee during the leave period, staffing levels over the period of the requested leave.
- In the private sector, about 19 per cent of companies provide top-ups<sup>4</sup>; compared to Maternity/Paternity leave, public sector employees do not receive top-ups.

#### **e. Childcare leave or career breaks**

- No statutory entitlement.

#### **f. Other types of leave and flexible working**

*Adoption leave and pay*

- 40 weeks of leave for adopting mothers or sole male adopters of children under eight years of age, with 24 weeks being paid and 16 weeks being unpaid. Payment and eligibility are the same as for Maternity leave. If the child is under three years of age at the time of adoption, unpaid Parental leave can be taken before the child reaches five years of age. However, if the child is aged between three and eight years at the time of adoption, the leave must be taken within two years of the adoption order.
- Adoptive leave and/or additional adoptive leave may be split in the event of the hospitalisation of the adopted child, subject to the agreement of the employer.
- New adoptive parents (other than the mother of the child) can get two weeks' statutory Paternity leave from employment or self-employment following the birth or adoption of a child.
- Parent's leave and Parent's benefit is also available for adoptive parents of children adopted after the 1 November 2019.

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<sup>4</sup> Ibec Research Unit. (2020) *Parent's Leave Report 2020*. Dublin: Irish Business and Employers Confederation.

### *Time off for the care of dependants*

- Three days of paid leave per worker within any 12 consecutive months, up to a limit of five days within any 36 consecutive months (treated as *force majeure*).
- Carer's Leave and Benefit is available to care for a dependent, mainly related to long-term care, but also in case of serious illness of a child or spouse; the dependent does not have to be a family member or spouse, but can be a friend or colleague. Unpaid leave can be taken of between 13 and 104 weeks. A Carer's Benefit can be paid, at a weekly rate of €237 for one dependent. with an increased rate if dependent children are living in the household; when caring for more than one person the rate is €355.50 per week. To receive this benefit, a carer must have at least a total of 3 years of social contributions; continuous contributions in the last 39 weeks (see Maternity leave); and be younger than 66 years. The entitlement is based on the dependent needing care and the assessment is conducted by the Department of Social Protection after checking with the dependent's GP.

### *Specific provision for (breast)feeding*

- Breastfeeding mothers are entitled to adjust their working hours or, if breastfeeding facilities are provided at work, to take breastfeeding breaks up until the child is six months old.

### *Flexible working*

- On return from Parental leave, an employee may request a change in their working hours or pattern. Employers must consider such a request, but are not required to grant it (see also section 3).

## **2. Relationship between leave policy and early childhood education and care policy**

The maximum period of post-natal leave available is nearly 24 months, but most of this is unpaid; leave paid at a low flat rate lasts for just under eight and a half months. There is an entitlement to Early Childhood Education and Care (ECEC) from 2 years and 8 months of age. There is a substantial gap, therefore, between the end of leave and an ECEC entitlement, and there is no well-paid leave.

For actual attendance levels, see 'relationship between leave and ECEC entitlements' on the [cross-country comparisons](#) page.

### 3. Changes in policy since April 2022 (including proposals currently under discussion)

The Parent's Leave and Benefit Act 2019<sup>5</sup> introduced two weeks of paid Parent's leave per parent as a new and separate scheme (for details, see Section 1d), and the leave has been incrementally extended to five weeks (April 2021) and seven weeks (July 2022). The longer-term plan is that paid Parent's leave will increase to nine weeks<sup>6</sup>. The additional two weeks apply to children born after the implementation date<sup>7</sup>. Employers have the option of topping up the basic payment, should they wish (as is currently the case with Maternity and Paternity leave benefit).

The level of Maternity, Paternity and Parent's leave benefit was increased from €250 to €262 per week from the beginning of 2023<sup>8</sup>.

Teachta Dála (TD - Members of Parliament), Senators, Councillors and Ministers are not entitled to the statutory leave schemes. The Minister of Justice, Helen McEntee, was the first prominent cabinet member that took leave for 6 months<sup>9</sup>. Due to the absence of any statutory entitlement, she was assigned Minister without Portfolio during this period. A bill to extend Maternity leave to councillors has been approved by cabinet, but has not been brought to parliament yet<sup>10</sup>. There are no plans to extend Paternity/Parental leave to politicians.

The Work-life Balance Bill was signed into law on 4 April 2023 and is pending implementation by the responsible ministers<sup>11</sup>. The bill will extend Parent's Leave and Benefit to nine weeks, introduce an unpaid medical carer's leave (five days per carer), paid domestic violence leave (five days), improve rights for flexible working and extends the entitlement for breast feeding breaks from six months to two years after child birth<sup>12</sup>. The extension of paid Parent's leave to nine weeks will ensure Ireland complies with the EU work-life directive.

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<sup>5</sup> Parent's Leave and Benefit Act 2019, Number 35 of 2019, available at <http://www.irishstatutebook.ie/eli/2019/act/35/enacted/en/pdf>

<sup>6</sup> Department of Finance & Department of Public Expenditure and Reform (2021) *Budget 2022*. Available at <https://www.gov.ie/en/campaigns/0020e-budget-2021/>

<sup>7</sup> Citizen's Information Board (2022) *Parent's leave*. Available at: [https://www.citizensinformation.ie/en/employment/employment\\_rights\\_and\\_conditions/leave\\_and\\_holidays/parents\\_leave.html](https://www.citizensinformation.ie/en/employment/employment_rights_and_conditions/leave_and_holidays/parents_leave.html)

<sup>8</sup> Department of Finance; Department of Public Expenditure and Reform (2021) op cit.

<sup>9</sup> Department of Justice (2021) *Statement by Minister for Justice Helen McEntee – Maternity Leave*. Press Release 11 March 2021. Available at: [www.gov.ie/en/press-release/1e1f0-statement-by-minister-for-justice-helen-mcentee-maternity-leave/](http://www.gov.ie/en/press-release/1e1f0-statement-by-minister-for-justice-helen-mcentee-maternity-leave/).

<sup>10</sup> Lynch, C., & Cousins, C. (2022) *Local Government (Maternity Protection and Other Measures for Members of Local Authorities) Bill 2022*. *Bill Digest*. No. 110 of 2022, 30 Nov 2022. Available at: [https://data.oireachtas.ie/ie/oireachtas/libraryResearch/2022/2022-11-09\\_bill-digest-work-life-balance-and-miscellaneous-provisions-bill-2022\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/libraryResearch/2022/2022-11-09_bill-digest-work-life-balance-and-miscellaneous-provisions-bill-2022_en.pdf).

<sup>11</sup> <https://www.oireachtas.ie/en/bills/bill/2022/92/>

<sup>12</sup> Oireachtas (2022) *Report on pre-legislative scrutiny of the General Scheme of a Work Life Balance and Miscellaneous Provisions Bill 2022*. Dublin: Oireachtas. Ashe, S. (2022) *Work Life Balance and Miscellaneous Provisions Bill 2022*. *Bill Digest*. Bill No. 92 of 2022, 11 Oct 2022. Available at:



## 4. Uptake of leave

### a. Maternity leave

According to the social protection statistics, there were some 43,283 maternity benefits awarded for 2021, which represents an increase as compared to 2020, when 40,293 maternity benefits were granted.<sup>13</sup> The figures are considered to be generally static from year to year, although there has been a fall as compared to 48,827 in 2011. To some extent this corresponds to the drop in the number of births from 74,033<sup>14</sup> to 55,959 in 2020<sup>15</sup>. In terms of costs, expenditure on the benefit was €267.7 million in 2021 (latest available)<sup>16</sup>.

In 2020, the Irish Central Statistics Office (CSO) released a report examining employment data for people who received maternity and paternity benefits in 2019<sup>17</sup>. This reported that maternity benefit was paid to 5.3 per 100 employees in 2019, a slight decrease from 5.4 in 2018. Maternity leave take-up differed depending on the sector: public administration and defence had the highest sectoral rate of maternity benefit take-up at 8.3 per 100 employees in 2019, while the lowest rate was in accommodation and food services, at 2.5. The take-up of maternity benefit was highest in large enterprises (that is, with 250 or more employees). More than half (54 per cent) of maternity benefit recipients received a top-up payment from their employer in addition to their maternity benefit payment. Of those women who did not receive additional income from their employer, the majority earned less than the flat-rate weekly maternity benefit amount from the Department of Employment Affairs and Social Protection.

One in ten (10.1 per cent) women in receipt of maternity benefit in 2018 did not return to paid employment in 2019. For workplaces with less than ten employees, 14.9 per cent of maternity benefit recipients in 2018 did not return to paid employment the following year, compared with only 3.4 per cent in large enterprises with 250 or more employees<sup>18</sup>. The likelihood of a woman not returning

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[https://data.oireachtas.ie/ie/oireachtas/libraryResearch/2022/2022-11-09\\_bill-digest-work-life-balance-and-miscellaneous-provisions-bill-2022\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/libraryResearch/2022/2022-11-09_bill-digest-work-life-balance-and-miscellaneous-provisions-bill-2022_en.pdf).

<sup>13</sup> Department of Social Protection (2022) *Statistical Information on Social Welfare Services, Annual Report 2021*. Dublin: Department of Social Protection.

<sup>14</sup> CSO (2012) *Annual Report on Vital Statistics*. Dublin: Central Statistical Office. Available at:

<https://www.cso.ie/en/statistics/birthsdeathsandmarriages/archive/publicationsarchive2011/>

<sup>15</sup> CSO (2021) *Vital Statistics Yearly Summary*. Dublin: Central Statistical Office.

Available at: <https://www.cso.ie/en/releasesandpublications/ep/p-vs/vs/vitalstatisticsyearlysummary2020/>,

<sup>16</sup> Department of Social Protection (2022) *Statistical Information on Social Welfare Services, Annual Report 2021*. Dublin: Department of Social Protection.

<sup>17</sup> CSO (2020) *Employment Analysis of Maternity and Paternity Benefits*. CSO statistical release, 02 June 2020. Available at: <https://www.cso.ie/en/releasesandpublications/er/eampb/employmentanalysisofmaternityandpaternitybenefits2016-2019/>

<sup>18</sup> Ibid.

to paid employment also varied by sector: from 31.4 per cent for those in agriculture, forestry and fishing to 1.2 per cent in public administration and defence. It also drops with each additional child, particularly for those who have had four or more children.

## **b. Paternity leave**

Between 2016 and 2020 Paternity leave take-up increased from 34 to 48 percent, measured as the crude rate of the percentage of claimants in relation to births.<sup>19</sup> Köppe (2023) also shows that the highest take-up (54 per cent) was recorded in the first quarter of 2020. When adjusting for the employment rate the highest recorded take-up is 64 per cent. The income net replacement rate of the statutory benefit is around 36 per cent of average earnings (in 2015 figures)<sup>20</sup>. In absolute numbers, there were some fluctuations in the Paternity leave uptake between 2019 and 2021 - while there were 27,295 paternity benefits awarded in in 2019, this dropped down to 24,076 in 2021 and increased again to 26,539 for 2021<sup>21</sup>.

According to CSO estimates that consider the social insurance entitlements of fathers, take-up has been at 58 and 55 percent in 2017 and 2018, respectively. The sectors with the highest rates of paternity benefit per 100 employees in 2019 were public administration and defence (5.6), industry (4.5) and financial and real estate (4.2)<sup>22</sup>. Yet, between 2017 and 2018 the occupational segregation has increased<sup>23</sup>. Micro-enterprises with less than ten employees had the largest proportion of fathers who did not take paternity benefit to which they were entitled in 2018, at 62.1 per cent. Companies with 250 or more employees had the smallest proportion of fathers not taking paternity leave and benefit at 36.5 per cent<sup>24</sup>. Moreover, Köppe (2023) shows that older and younger fathers have a lower take-up. Overall, Köppe (2023) argues the relative low take-up is due to the low flat-rate benefit and occupational inequalities.

## **c. Parental and Parent's leave**

In the first year when Parent's leave and benefit was fully available, 2020, 16,683 were awarded benefits and this increased to 51,395 in 2021<sup>25</sup>. As the policy

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<sup>19</sup> Köppe, S. (2023) 'Ireland's Paternity Leave: Sluggish Benefit Take-up and Occupational Inequalities', *Journal of Family Studies* (early view). doi: 10.1080/13229400.2023.2179527

<sup>20</sup> *ibid.*, p. 4.

<sup>21</sup> Department of Social Protection (2022) *Statistical Information on Social Welfare Services, Annual Report 2021*. Dublin: Department of Social Protection.

<sup>22</sup> CSO (2020) *Employment Analysis of Maternity and Paternity Benefits*. CSO statistical release, 02 June 2020.

<sup>23</sup> Köppe 2023

<sup>24</sup> CSO (2020).

<sup>25</sup> Department of Social Protection (2022) *Statistical Information on Social Welfare Services, Annual Report 2021*. Dublin: Department of Social Protection.

matures and more parents become eligible, we estimate a female take-up rate of almost 100 per cent and male take-up rate of about 48 per cent by late 2021 (crude rate); the gender rate, i.e., male share of female claimants, is 48 per cent<sup>26</sup>.

The latest CSO analysis reports all types of family leave take by all employees (see Table 1). Overall, take-up of Parent’s leave is lower than for Maternity leave, because fewer employers top-up the statutory flat-rate for the former. As the figures relate to all employees, it is impossible to identify eligible parents and calculate a real take-up rate.

**Table 1: Type of family leave taken in 12 months prior to Q1 2021, per cent of employees aged 18 years and over**

Type of family leave taken							
Paid maternity or adoptive leave	Unpaid maternity or adoptive leave	Paternity leave	Unpaid parental leave	Parent’s leave	Force majeure leave	Compassionate leave	No family leave taken
4.3	1.4	1.7	2.2	1.7	1.7	4.8	85.9

Source: [www.cso.ie/en/releasesandpublications/ep/p-pwlbmr/personalandwork-lifebalance2021-mainresults/leaveintheworkplace/](http://www.cso.ie/en/releasesandpublications/ep/p-pwlbmr/personalandwork-lifebalance2021-mainresults/leaveintheworkplace/)

**d. Other types of leave and flexible working**

- There is no recent information on uptake, with the latest data being from a survey in 2001.

<sup>26</sup> Own calculations. Crude rate is lagged by 2 quarters to account for the maternity leave take-up in the first 6 months. Data is from DSP. (2023). Quarterly Statistical Report. Recipients by Sex. Dublin: Department of Social Protection. [https://data.gov.ie/dataset/quarterly-statistical-report-recipients-by-sex?package\\_type=dataset](https://data.gov.ie/dataset/quarterly-statistical-report-recipients-by-sex?package_type=dataset)