

Ireland¹

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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 Justice and Equality)

Length of leave (before and after birth)

- Forty-two (42) weeks: at least two weeks must be taken before birth.

Payment and funding

- A weekly maternity benefit rate of €240 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 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 10.75 per cent.

Flexibility in use

- None except for when leave can be started before birth.

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

- To be eligible for maternity benefit, an employee or self-employed woman has to 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 birth of the child.

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.

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- 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 Justice and Equality)

Length of Leave

- Two (2) weeks (which must be taken consecutively)

Payment and Funding

- A weekly paternity benefit payment of €240, funded from the Social Insurance Fund.

Flexibility in use

- Paternity leave may be taken at any time within the first 26 weeks following the birth or adoption of a child.

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

- The entitlement to Paternity leave extends to all employees (including casual workers), regardless of how long they have been working for the organisation or the number of hours worked per week.
- Paternity benefit is paid by the Department of Social Protection to people who have a certain number of paid PRSI contributions on their social insurance record. It is paid to an employee or self-employed person who is a relevant parent, which includes: the father of the child; the spouse, civil partner or cohabitant of the mother of the child; the parent of a donor-conceived child. In the case of an adopted child, the relevant parent may include the nominated parent in the case of a married same-sex couple or the spouse, civil partner or cohabitant of the adopting mother or sole male adopter.

c. Parental leave (responsibility of the Department of Justice and Equality)

Length of leave

- Eighteen (18) weeks per parent per child. Leave is an individual entitlement that cannot be transferred. 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. Both parents can take the leave at the same time.

Payment and funding

- None.

Flexibility in use

- Leave may be taken up to the child's eighth birthday, and up to 16 years in the case of children with disabilities and serious illness.
- Leave may be taken in separate blocks of a minimum of six continuous weeks or more favourable terms subject to employer's agreement.
- Parents can be on leave together, partly or the whole period.

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

- All employees who have completed one year's continuous employment with their current employer.
- An extension of the *force majeure* provisions includes persons 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 person other than the parents

- As leave is per child, the leave period is doubled for parents of twins and tripled for triplets.
- Parents with a disabled child do not get additional Parental leave, but would be eligible for Carer's leave (see 1e).

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 on 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. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- Forty (40) weeks of leave for adopting mothers or sole male adopters of children under eight years, with 24 weeks paid and 16 weeks unpaid; payment and eligibility 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.

Time off for the care of dependants

- Three days of paid leave per worker in any 12 consecutive months, up to a limit of five days in any 36 consecutive months (treated as *force majeure*).
- Employees with 12 months continuous service can take a minimum of at least 13 weeks up to a maximum of 104 weeks unpaid 'Carer's leave' to provide full-time care for a dependant (a child or adult in need of full-time care), either in one continuous period or as several blocks of time. Employees may work up to ten hours per week while on this Carer's leave, subject to certain income limits. An employee on Carer's leave may be entitled to a means-tested Carer's benefit.

Flexible working

- 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.
- 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.

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

The maximum period of post-natal leave available in Ireland is 18 months, but most of this is unpaid; leave paid at a standard flat rate lasts for only six months. Children are entitled to start ECEC from three years of age. However, there remains a substantial gap between the end of leave and an ECEC entitlement, and there is no well-paid leave. Levels of attendance at formal services for children under three years are about the average for the countries included in this review and OECD countries; but are well below the average for children over three years (mainly because of an early start in school). For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

3. Changes in policy since April 2016 (including proposals currently under discussion)

The Single Affordable Childcare Scheme was implemented in September 2017, providing means-tested subsidies for children aged between six months and three years and a reduction in the age of children eligible to access the Early Childhood Care and Education Scheme, from 39 to 36 months.

The Parental Leave (Amendment) Bill 2017 proposed extending unpaid Parental leave from 18 weeks to 26 weeks for all parents with children under eight years., andl was referred to a review committee after receiving parliamentary approval in February 2018. The government did not oppose the Bill but added it would prefer to see a situation where Ireland would eventually have paid Parental leave. The Social Protection Minister, Regina Doherty, announced she wants to increase paid Parental leave to 12 months, which would be shared between the mother and the father; legislation is currently before Parliament.

4. Take-up of leave

a. Maternity leave

According to the social protection statistics for 2016 (the latest year for which statistics are available), there were some 22,708 recipients of maternity benefit in 2014, and 21,687 for 2015² The figures are considered to be generally static from year to year although there has been a fall from 23,947 in 2011 to 21,687 in 2015. It was estimated by the Department of Social Protection (July 2015) that there was a weekly average of 24,000 recipients at a cost of €254 million³.

According to a national study of Pregnancy at Work conducted in 2007-2009⁴, two-thirds of the 23,000 mothers surveyed were in employment. The sample was selected by the Department of Social Protection from its database of recipients of the universal child benefit. Of these, 92 per cent of mothers took paid Maternity leave, while 41 per cent took unpaid Maternity leave, mostly in addition to paid leave. Taking combined paid and unpaid leave was related to the mother's ability to afford a period of unpaid leave. Women who were self-employed or who worked in temporary/casual jobs or part-time employment during pregnancy were less likely to take paid Maternity leave.

Nearly half (48 per cent) of employed women received a top-up payment from their employer in addition to state maternity benefit. Receipt of such payments was higher among women who were already more financially secure. Nearly one-third (32 per cent) of the women surveyed who were in employment experienced problems around Maternity leave, the most common involving the timing or duration of leave, i.e. being pressurised into leaving work earlier or returning to work sooner than desired. The report concluded that the preferred option, among mothers who can afford it, would be for a longer period of Maternity leave than the six months of statutory paid leave.

b. Paternity leave

In the first six months of the new Paternity leave scheme, between September 2016 and February 2017, there were 8,558⁵ Paternity leave applications awarded. The reasons for the relatively low initial take-up (as compared with Maternity leave awards) was reported in the media as a combination of the newness of the scheme and an absence of 'wage top-ups' to the basic €235 paternity benefit for many fathers⁶. In the subsequent 12 month period (March 2017 to February 2018), statistics from the Department of Employment Affairs and Social Protection show an increased take-up for Paternity leave with 26,928 awards; this compares with 46,212 Maternity leave awards for the same period. This means that Paternity Leave awards for the period March 2017 and February 2018 were equivalent to 58 per cent of Maternity Leave awards.⁷

² Department of Social Protection (2016) *Statistical Information on Social Welfare Services, Third Annual Report 2016*. Dublin: Department of Social Protection.

³ www.kildarestreet.com/wrans/?id=2015-07-16a.193

⁴ Russell, H., Watson, D. and Banks, J. (2011) *Pregnancy at Work: A National Survey*. Dublin: HSE Crisis Pregnancy Programme and the Equality Authority.

⁵ Data supplied directly by the Department of Social Protection Statistics Unit.

⁶ <http://www.irishtimes.com/business/personal-finance/why-aren-t-more-fathers-taking-paternity-leave-1.2953763>; <http://www.irishexaminer.com/ireland/fathers-slow-to-avail-of-paternity-leave-437425.html>

⁷ Data supplied directly by the Department of Employment Affairs and Social Protection Statistics Unit.

c. Parental leave

Based on the findings of the *Pregnancy at Work* study (referred to earlier), only 18 per cent of women returning to work after childbirth in 2007-2009 had requested to take any Parental leave. However, the authors noted that since leave can be taken at any point until the child reaches eight years of age, more women may avail of this entitlement at a later stage. Almost one-fifth (19 per cent) of women who had applied for Parental leave had had their request refused, or leave was granted not in the form originally requested. The study showed that take-up of (unpaid) Parental leave is linked to women's ability to afford it. Women with an unemployed partner were four times less likely to request Parental leave than women with a working partner, indicating the constraint on choice associated with the household's financial position, which is likely to characterise many households during a period of recession. Women with higher earnings were more likely to have requested Parental leave. No information was given in the report on fathers' take up of Parental leave.

d. Other employment-related measures

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

5. Research and publications on leave and other employment-related policies since April 2017

Please be aware that this is not intended to be a comprehensive list of all publications or research in this area for this country. If you are aware of a publication or research that could be listed in this section, please contact the country note author(s) so that they can include it for the following year.

a. General overview

Despite the introduction of Maternity leave and pay in 1994 there have been no specific studies on the use of this entitlement nor the take-up of other types of leave (including Carer's leave). More research attention has been given to the Parental leave entitlement introduced in 1998. Most available research has focused on broad issues around reconciling work/family, including flexible working arrangements and childcare rather than leave per se.

b. Selected publications since April 2017

None reported.

c. Ongoing research

None reported.