



<b>POLICY:</b>	Adoptive Leave Policy
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<b>FIRST DRAFT:</b>	February 2021
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<b>ADOPTED:</b>	UR2022#01 Approved
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<b>AMENDMENTS:</b>	
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<b>REVIEW:</b>	February 2027
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## **Adoptive Leave Policy**

### **1.0 Policy Statement**

1.1 This policy and its procedures will be operated in accordance with applicable legislation, relevant circulars as issued by the Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) and relevant Government policy.

1.2 All policies, guidelines and protocols of Mary Immaculate College, will reflect the Colleges commitment to the promotion of equality in accordance with law.

### **2.0 Scope of Policy**

2.1 This Policy is applicable to all employees of Mary Immaculate College.

### **3.0 Legislation, Regulations and Related Policy**

3.1 Governing legislation, regulation and policy in relation to this document includes:

- Adoptive Leave Acts, 1995-2005
- Family Leave and Miscellaneous Provisions Act, 2021

### **4.0 Responsibilities**

4.1 All employees who wish to apply for adoptive leave must comply with the provisions of this Policy.

4.2 The Human Resources Office is responsible for processing applications for adoptive leave.

4.3 *An tUachtarán* and the Executive Team of the College shall be responsible for the implementation of this policy.

### **5.0 Adoptive Leave**

5.1 Adoptive leave is available to one parent (the nominated parent) of an adopting couple or a parent who is adopting a child on their own.

5.2 An eligible employee is entitled to 24 weeks adoptive leave and up to 16 weeks additional adoptive leave.

5.3 Additional adoptive leave is taken immediately after adoptive leave except in the case of foreign adoptions where some or all of the 16 weeks may be taken immediately before the date of placement.

5.4 An employee is entitled to time off work to attend any pre-adoption meetings or classes which they are obliged to attend. Written notification of dates and times of classes must be supplied to the HR Office not later than 2 weeks before the dates of the classes concerned.

### **6.0 Applications for Adoptive Leave and Notification Requirements**

6.1 Applications for adoptive leave must be made in writing to the HR Office at least 4 weeks before the expected placement of the child.

6.2 An adopting parent who is taking adoptive leave must provide the HR Office with a certificate of placement. The certificate must be given as soon as is reasonably practicable but no later than 4 weeks after the day of placement.

6.3 In the case of foreign adoption, the employee must provide the HR Office with a copy of the declaration of eligibility and suitability before beginning adoptive leave or additional adoptive leave (whichever is the earlier) and must provide details of the placement as soon as is reasonably practicable.

6.4 Applications for additional (unpaid) adoptive leave must be made in writing to the HR Office at least 4 weeks before the commencement date of the leave.

6.5 An employee must inform the HR Office, in writing, at least 4 weeks beforehand of the date on which they intend to return to work after adoptive leave or additional adoptive leave.

## **7.0 Termination or Postponement of Adoptive Leave**

7.1 An employee may end their adoptive leave early if they become ill. Any remaining adoptive leave will be lost. Early cessation of adoptive leave requires the agreement of the employer. An employee who wishes to end their adoptive leave early may make a written application to do so to the Director of Human Resources.

7.2 An adopting parent can postpone the adoptive leave if the adopted child has to be hospitalised. An employee who wishes to postpone their adoptive leave may make a written application to do so to the Director of Human Resources.

## **8.0 Payment of Salaries during Adoptive Leave**

8.1 Mary Immaculate College will operate a payment scheme to pensionable staff during the staff member's 24 weeks adoptive leave.

8.2 In the case of staff employed on fixed term or a specified purpose contracts, the expiry date of the contract, if it falls during the period of adoptive leave, will be the final date of the employee's adoptive leave.

8.3 Where a staff member has an entitlement to receive Adoptive Benefit from the Department of Social Protection, this benefit must be claimed by the employee, and the corresponding amount will be deducted from any payment of salary or wages made during paid maternity leave.

8.4 Where a staff member has no entitlement to payment of Adoptive Benefit from the Department of Social Protection, payment of salary or wages will be made in full for the duration of the 24 weeks adoptive leave.

8.5 In the event of an employee availing of any period of additional adoptive leave, no payment will be made by either Mary Immaculate College in respect of this period.

## **9.0 Employment Rights**

9.1 An employee will be entitled to accrue annual leave and public holiday entitlements while on adoptive and additional adoptive leave.

## **10.0 Audit and Review**

10.1 This policy will be reviewed on a five yearly basis or if any legislative changes are enacted in the interim. The Director of Human Resources will initiate the review.