

Diocese of Elphin – HR Policy Handbook

Document Name: Adoptive Leave Policy
Document No: 6.1.1 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Operating under the patronage of Our Lady of the Immaculate Conception, the Diocese of Elphin aims to provide staff members with a safe, caring and supportive Christian environment in which to carry out their work. Work objectives are to be advanced with due regard to the needs and dignity of each staff member and with due regard for the individuals and communities the diocese serves.

This document outlines the Diocesan policy on Adoptive Leave. It is applicable to parishes, offices, agencies and any entity operating under the governance of the Diocese of Elphin (hereafter referred to as "the employer"). Line Managers (Bishop, Priests, Deacons, Religious, Lay Personnel who supervise staff members) are responsible for communicating this policy and having it signed off by their staff member(s).

Introduction

This policy informs all staff members covered by the Adoptive Leave Acts 1995 and 2005 of their rights and entitlements while in this employment. In certain circumstances, male employees, besides sole male adopters, are also covered by this piece of legislation.

This policy covers staff members who are either adopting mothers or sole male adopters while in the employment of "the employer". All full-time and part-time staff members are covered by this policy.

Entitlements

Under our adoptive leave policy, you have the following entitlements:

- you are entitled to 24 consecutive weeks adoptive leave, commencing from the date of placement of your child;
- you must give "the employer" at least four weeks written notice of your intention to take adoptive leave and also forward to "the employer" any documentation confirming the adoption of your child and specifying the expected week of adoption;
- you must give "the employer" at least four weeks written notice of your intention to return to work;
- you are also entitled to take additional adoptive leave of up to 16 weeks, commencing immediately after the end of the adoptive leave;
- you must inform "the employer" in writing of your intention to take the 16 weeks additional leave not later than four weeks before the end of the 24-week adoptive leave period;
- in the case of a foreign adoption, all or part of the additional adoptive leave can be taken before the placement of your child; if you wish to avail of this option, you must inform "the employer" in writing four weeks before the leave is due to begin.

Time off to attend preparation classes

Staff members (both mothers and fathers) are entitled to time off during working hours without loss of pay to attend preparation meetings and pre-adoption classes with social workers/Health Service Executive officials, which are held within the State, and are required as part of the pre-adoption process. You must give written notification to your manager of the dates and times of the classes, or class, at least two weeks before the first class.

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Annual leave and public holiday benefit

While on adoptive leave and additional adoptive leave, you will retain your full entitlement to annual leave and public holiday benefit. You will be notified of the number of public holidays for which you are entitled to benefit, and you will agree with your manager when these paid days will be taken.

Any request for annual leave must be made as per our annual leave policy (6.1.2). Such requests will be treated in the same way as an annual leave application from any other staff member, taking account of business and resourcing issues.

Additional adoptive leave and sickness

You may request to terminate unpaid additional adoptive leave in the event of medically certified illness, thereby allowing you to transfer to the sick leave. This is subject to approval by your manager. Requests for termination of the additional adoptive leave and acceptance of this by the diocese must be in writing.

Please note that if you choose to transfer to sick leave, then the remainder of the additional adoptive leave cannot be taken at a later date following the period of sick leave.

Postponement of adoptive leave

Adoptive leave and/or additional adoptive leave may be postponed in the event of the hospitalisation of your child, subject to the agreement of your manager. You should request the postponement of the leave in writing as soon as possible. This request should also include a letter of confirmation from the hospital.

Payment during leave

During adoptive leave and additional adoptive leave, you will be deemed to be in employment and your employment rights, with the exception of remuneration, are preserved as if you were present at work.

Employment protection

An employee on adoptive leave will be treated as if he or she were not absent from work. At the end of adoptive leave, you will be entitled to return to your original job under terms and conditions no less favourable than those which would have applied if you had not been absent. However, you must give at least four weeks written notice of your return to work date.

During adoptive leave, staff members who have the necessary PRSI contributions are entitled to Adoptive Benefit from the Department of Social and Family Affairs. It is recommended that you apply at least six weeks before the start date of your adoptive leave. Claims should be made on AB1 forms, which are available from the hospital, your doctor or social welfare offices.

During the 16-week period of additional adoptive leave, no payment is made by the Department of Employment Affairs and Social Protection.

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Adoptive leave notifications

Staff members who are entitled to avail of leave under the Adoptive Leave Acts 1995 and 2005 must comply with certain notification procedures in order to be eligible for protection under the Acts. They are required to provide written notification of their intention to take adoptive leave (see appendix 1) and additional adoptive leave (see appendix 2); to attend pre-adoption classes and preparation meetings (see appendix 3); and of their intention to return to work (see appendix 4). All protection and entitlements under the Acts are subject to satisfactory written notification.

Revocation of notification to take adoptive leave must also be in writing (see appendix 5)

For further information please contact:

HR Advisor
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Appendix 6.1.1(a)

Notification of intention to take adoptive leave

This is notification of my intention to take adoptive leave. The expected date of placement of my child is:

Day	Month	Year

My adoptive leave will commence on:

Day	Month	Year

My adoptive leave will finish on (24 weeks later):

Day	Month	Year

I understand that I must notify my employer in writing at least four weeks in advance of my intention to return to work at the end of my adoptive/additional adoptive leave. If I intend to take additional adoptive leave, I understand that I must notify my employer in writing at least four weeks before the end of my adoptive leave, ie, not later than:

Day	Month	Year

Signed: _____ Date: _____
 (Staff Member)

Signed: _____ Date: _____
 (On behalf of the employer)

*The staff member should also provide documentation confirming the adoption and specifying the expected date of placement.

This notice must be given at least four weeks in advance of taking the adoptive leave.

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Appendix 6.1.1(b)

Notification of intention to take additional adoptive leave

This is notification of my intention to take additional adoptive leave.

My additional adoptive leave will commence on:

Day	Month	Year

My additional adoptive leave will finish on (maximum 16 weeks later):

Day	Month	Year

Signed: _____ Date: _____
(Staff member)

Signed: _____ Date: _____
(On behalf of the employer)

This notice must be given at least four weeks in advance of taking additional adoptive leave (which is four weeks prior to ending normal adoptive leave).

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Appendix 6.1.1(c)

Notification of intention to attend pre-adoption classes

This is notification of my intention to attend pre-adoption classes.

The start date and time of my class(s):

Day/Time	Month	Year

The finish date and time of my class(s)

Day/Time	Month	Year

Signed: _____ Date: _____
(Staff member)

Signed: _____ Date: _____
(On behalf of the employer)

This notice must be given at least two weeks in advance of your first class and specify the dates and times of the classes or class. Please use a separate form for each class.

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Appendix 6.1.1(d)

Notification of intention to return to work

In order to return to work after my adoptive leave/additional adoptive leave, I understand that I must notify my employer in writing not later than four weeks before the end of my leave.

My adoptive leave/additional adoptive leave will end, and I will return to work, on:

Day	Month	Year

Signed: _____ Date: _____
 (Staff member)

Signed: _____ Date: _____
 (On behalf of the employer)

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Appendix 6.1.1(e)

Revocation of notification to take adoptive leave

I wish to revoke my notification of my intention to start adoptive leave on:

Day	Month	Year

Signed: _____ Date: _____
(Staff member)

Signed: _____ Date: _____
(On behalf of the employer)

If the staff member has changed his or her mind about the start date of the adoptive leave, then he or she must also submit a second 'Notification of intention to take adoptive leave' form.

Please note that the second notification must also be made at least four weeks before the beginning of the adoptive leave.