

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (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 Maternity 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

All female staff members who are pregnant, who have recently given birth, or who are breastfeeding up to the 26th week after the date of confinement are covered by the Maternity Protection Acts 1994 and 2004. In certain circumstances, male staff members are also covered by this piece of legislation.

This policy informs all staff members covered by the Acts of their rights and entitlements while in the employment of "the employer". All full-time and part-time staff members are covered by this policy.

Entitlements and conditions

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

- you are entitled to 26 consecutive weeks maternity leave, of which at least two weeks must be taken before the expected date of the birth and at least four weeks taken after the date of the birth of your child;
- you must give "the employer" at least four weeks written notice of your intention to take maternity leave and also forward a medical certificate confirming your pregnancy and specifying the expected date of the birth of your child. (See Appendix 1). You are encouraged to inform your manager as soon as you are aware you are pregnant – this enables "the employer" to ensure that the environment is safe and supportive of all your pregnancy requirements during this time;
- you must give "the employer", in writing, at least four weeks' notice of your intention to return to work (see appendix 5);
- you are also entitled to take additional maternity leave of up to 16 weeks immediately after the end of your maternity leave;
- you must inform "the employer", in writing, of your intention to take additional maternity leave not later than four weeks before the end of the 26-week normal maternity leave period (see appendix 2);
- if you are breastfeeding and are within 26 weeks after the birth of your child, you may be entitled to limited time off/breaks for breastfeeding purposes.

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Father's Leave

Should the mother of a staff member's child die during or after childbirth, the staff member will be entitled to the remainder of the mother's maternity leave and/or additional maternity leave. A father is entitled to take the remainder of the mother's leave, where the mother dies during ordinary maternity leave, or additional maternity leave. A staff member availing of such leave must notify his manager on the first day of the leave of his intention to take the leave and the duration. The staff member must also notify his manager of his intention to take additional maternity leave four weeks before he is expected to return to work.

Ante-natal/post-natal medical care

You are entitled to paid time off for medical appointments related to the pregnancy. Written notification should normally be given to your manager with the date and time of the appointments at least two weeks in advance (see appendix 3). You must be able to produce a certificate/ record that the visit took place. The diocese requests that, where possible, the appointments are at the beginning or at the end of the working day. If the appointment finishes before the end of the working day, you must return to work.

Ante-natal classes

Pregnant staff members are entitled to paid time off work to attend one set of ante-natal classes (other than the last three classes). This is a once-off entitlement. An expectant father is entitled, on a once-off basis, to paid time off to attend the last two classes before the birth. Written notification must be given to your manager with the dates and times of each class at least two weeks before the first class (see appendix 5).

Breastfeeding

If you are breastfeeding you are entitled to a reduction in working hours of one hour per day. The one-hour break may be split into shorter periods of time totalling one hour. Part-time staff members will be entitled to a pro-rata benefit. The entitlement may be availed of for up to 26 weeks after the date of confinement, provided you inform your manager of your intention when you are advising "the employer" of your intention to return to work. You will be paid during this time (see appendix 5).

Annual leave and public holiday benefit

While on maternity leave and additional maternity 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 will agree with your manager when these paid days will be taken. Any request for annual leave must be made as per "the employer's" annual leave policy. 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.

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Health and safety leave

"The employer" is obliged to assess any risk to any staff member who is:

- pregnant;
- has recently given birth; or
- is breastfeeding.

Therefore, if you are pregnant, it is imperative that you inform your manager, so that "the employer" can carry out a risk assessment as soon as possible. If a risk is identified and cannot be removed from the work process, then "the employer" will take the following steps to ensure that you are no longer exposed to the risk:

- a. temporarily adjust your working conditions or working hours, to the extent needed to avoid the relevant risk;
- b. if step (a) is not feasible, then you will be transferred to other work, or, in the case of night-workers, to day work;
- c. if step (b) is not feasible, then you will be given health and safety leave.

"The employer" will pay for the first 21 calendar days of health and safety leave, thereafter a social welfare benefit may apply.

If you become aware that you are no longer vulnerable to the risk for which you have been granted health and safety leave, you are obliged to inform "the employer" in writing of the fact, as early as reasonably practicable. Likewise, if a risk no longer exists, or if "the employer" is in a position to offer suitable alternative work, "the employer" will notify you in writing and the health and safety leave will expire seven days after receiving the notification to return to work.

Additional maternity leave and sickness

You may request to terminate unpaid additional maternity leave in the event of a medically certified illness, thereby allowing you to transfer to the sick leave scheme. This is subject to approval by "the employer". Requests for termination of the additional maternity leave and acceptance of this by "the employer" must be made in writing (see appendix 6). Please note that if you choose to transfer to the sick leave scheme, then the remainder of the additional maternity leave cannot be taken at a later date following the period of sick leave.

Postponement of maternity leave

Maternity leave and/or additional maternity leave may be postponed in the event of the hospitalisation of your child, subject to the agreement of the diocese. In order to request this postponement, you must already have taken at least 14 weeks maternity leave, with not less than four of those weeks being after the date of confinement. 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.

Premature Birth

In the event of a premature birth the 26 weeks leave will be extended by an additional period of leave. This period of leave will commence at the end of the 26 weeks. The additional period to be added will be the number of weeks from the baby's actual date of birth, up to two weeks before the expected date of confinement, which would have been the 37th week of the pregnancy.

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Miscarriage

There is no entitlement to statutory maternity leave for a miscarriage occurring up to and including the 24th week of pregnancy. Any confinement occurring after the 24th week is covered.

Payment during leave

During maternity leave and additional maternity 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.

During maternity leave, staff members who have the necessary PRSI contributions are entitled to maternity benefit from the Department of Employment Affairs and Social Protection. It is recommended that you apply at least six weeks before the start date of your maternity leave. Claims should be made on MB1 forms, which can be completed or requested online at www.welfare.ie. "The employer" will complete the MB2 form (not earlier than 16 weeks before your baby is due). Staff members who do not have the necessary PRSI contributions will not be entitled to any payment from the Department of Social Protection during ordinary maternity leave.

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

Employment protection

A staff member who is absent on maternity leave will be treated as if she had not been absent. At the end of your maternity leave, you will be entitled to return to your original job under terms and conditions no less favourable than those that would have applied if you had not been absent. However, you must give at least four weeks written notice of the return to work date.

For further information please contact:

HR Advisor
 Elphin Diocesan Office
 St. Mary's
 Temple Street
 Sligo F91 KTX2
 Email: hr@elphindiocese.ie
 Mobile: 087 240 4882

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Appendix 6.1.9(a)

Notification of intention to take maternity leave

This is notification of my intention to take maternity leave. My expected week of confinement is _____

My maternity leave will commence on:

Day	Month	Year

My maternity leave will finish on (26 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 maternity/additional maternity leave. If I intend to take additional maternity leave, I understand that I must notify my employer in writing at least four weeks before the end of my maternity leave, ie. no later than: _____.

Signed: _____ Date: _____
 (Staff member)

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

*The staff member should also provide medical certification confirming the pregnancy and specifying the expected week of confinement.

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

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Appendix 6.1.9(b)

Notification of intention to take additional maternity leave

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

My additional maternity leave will commence on:

Day	Month	Year

My additional maternity 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 maternity leave (which is four weeks prior to ending normal maternity leave).

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Appendix 6.1.9(c)

Notification of intention to take ante natal care leave

This is notification of my intention to take time off to attend an ante natal care appointment on:

Day	Month	Year	Time

Signed: _____ Date: _____
(Staff member)

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

*The staff member should provide an appointment card indicating the date and time of the appointment and confirming the pregnancy or specifying the expected week of confinement.

This notice should be given at least two weeks in advance of the appointment, except for the first appointment.

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Appendix 6.1.9(d)

Notification of intention to attend ante-natal classes

This is notification of my intention to take time off to attend an ante-natal class on:

Day	Month	Year	Time

Future classes will be on:

Day	Month	Year	Time

Day	Month	Year	Time

Day	Month	Year	Time

Day	Month	Year	Time

Day	Month	Year	Time

Signed: _____ Date: _____
(Staff member)

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

*The staff member should also provide the appropriate documentation indicating the dates and times of the classes. **This notice should be given at least two weeks in advance of the first class. The staff member is not entitled to paid time off for the last three classes.**

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Appendix 6.1.9(e) Notification of intention to return to work

If I intend to return to work after my maternity/additional maternity leave, I understand that I must notify my employer in writing.

I must notify my employer for the first time not later than four weeks before the end of my leave (ie, not later than):

Day	Month	Year

Signed: _____ Date: _____
 (Staff member)

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

Diocese of Elphin – HR Policy Handbook

Document Name: Maternity Policy
Document No: 6.1.9 (original)
Effective Date: 15th February 2019
Written By: Frank Mitchell, HR Advisor
Approved By: +Kevin Doran, Bishop of Elphin



Appendix 6.1.9(f) Revocation of notification to take maternity leave

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

Day	Month	Year

Signed: _____ Date: _____
 (Staff member)

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

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

Please note: This second notification must also be made at least four weeks before the beginning of the maternity leave.