



SAMPLE PAID MATERNITY LEAVE POLICY TEMPLATE

Paid Maternity Leave Policy Template:

Purpose:

This policy informs all employees covered by the Acts of their rights and entitlements while in employment. Under the Maternity Protection Act, 1994 and the Maternity Protection (Amendment) Act, 2004, any female colleague expecting a baby is entitled to a continuous period of maternity leave around the time of birth of the child. The current entitlement is to 26 weeks' maternity leave together with 16 weeks additional unpaid leave. Colleagues maintain all employee rights while on maternity leave including a percentage of remuneration subject to minimum service requirement as outlined below.

Notification:

Once the pregnancy is confirmed, colleagues are required to advise the company in writing as soon as possible and at least 4 weeks before the commencement of her maternity leave. This notice must be accompanied by a Doctor's Certificate stating the expected date of birth. Of the 26-week period, at least 2 weeks must be taken before the expected date of birth, and at least 4 weeks after the birth.

Additional Maternity Leave:

Colleagues may also choose to take additional maternity leave at the end of the 26-week period. The colleague is entitled to up to 16 weeks' additional maternity leave. Colleagues should apply in writing using the company forms for this leave at least 4 weeks before the approved maternity leave expires or before she goes on maternity leave. The colleague will maintain all her employee rights, other than remuneration, during the additional maternity leave, including the entitlement to annual leave and public holidays.

Colleagues must provide in writing to the company, with at least 4-weeks' notice of their intention to return to work and planned date of return.

In the devastating event of the death of the mother of their new-born child during maternity leave, the father will be entitled to avail of leave. The duration of such leave depends on when the death of the mother occurred.

Company Payment for Maternity Leave:

Colleagues with continuous service of 18 months and over will be eligible to apply to the company for paid maternity leave to a maximum of 75% of their annual salary.

Company paid maternity leave of 75% salary is paid less the Department of Social Protection maternity benefit. If availing of company paid maternity leave, the company requires colleagues to apply for and make payable directly to the company, their weekly social welfare maternity benefit for this period.

The maternity leave pay will be calculated at the colleague annual salary at commencement of maternity leave and will include any company or legislative increases during the period of leave. Maternity leave will be paid for the 26-week maternity leave period from 10 January 2022.

Additional maternity leave is unpaid.

Company paid maternity leave must be applied for using the company notification form and approval is subject to the terms and conditions outlined above.

Colleagues retain the right to waive their entitlement to company paid maternity leave where applicable and retain their DSP benefit should they chose to do so.

The company reserves the right to amend or withdraw this benefit at its discretion as it is not a term and condition of employment.

Safety, Health & Welfare of Colleagues:

To ensure the safety of a pregnant colleague, risk assessments will be conducted at regular intervals. Once notified, the employer will schedule a risk assessment and subsequent assessments will typically be carried out once per trimester unless required more frequently, until the pregnant colleague goes on maternity leave. If a risk cannot be removed or it is not technically or objectively feasible for the company to remove a risk, or such a move cannot reasonably be accommodated, or other work to which has been proposed is not suitable for the pregnant colleague then you may be placed on Health and Safety Leave. During this leave the pregnant employees will be entitled to 21 days full basic pay. If the employee is on health and safety leave for longer than 21 days, then she may be eligible for social welfare payment for the period until maternity leave commences

Colleagues who are pregnant, have recently given birth or who are breastfeeding, will not be placed in any job that is a risk to her health and safety or that of her child. If such a risk does exist then the company will through risk assessment, remove the risk, reassign the employee to other suitable employment or place the colleague on health and safety leave.

Maternity leave entitlement does not apply in the case of a miscarriage before 24 weeks of pregnancy.

Antenatal and Postnatal Care:

Colleagues are entitled to paid leave for antenatal and postnatal care. Colleagues will receive paid time off for any antenatal medical appointments before the birth and postnatal medical appointments for the first 14-weeks following the birth. Colleagues must give the company two week's written notice of any appointment and must be able to produce a certificate/record that the visit took place. The company requests that where possible, the appointments are at the beginning or at the end of the working day. If the appointment finishes during the working day, the colleague is expected to return to work.

Extension of Maternity Leave and Benefit in case of Premature Births:

The period for which maternity benefit is paid has been extended in cases where a baby is born prematurely. The extended period of benefit is equivalent to the duration between the actual date of birth of the premature baby and the date when the maternity leave is expected to commence (i.e., ordinarily two weeks before the expected date of birth).

Postponement of Leave in the Event of the Hospitalisation of the Child:

If the baby falls ill and is hospitalised, and the mother has availed of at least 14 weeks' maternity leave with not less than 4 of those weeks being after the week of the birth, then she may apply to have the remaining maternity leave, and up to 16 weeks' additional maternity leave, postponed until the baby is discharged from hospital. The decision to allow this postponement lies entirely at the discretion of the company.

The colleague must request this postponement in writing directly to their manager as soon as possible, with a letter confirming the hospitalisation of the baby. The company will respond to requests as soon as is reasonably practicable.

Where the postponement is granted, the colleague will return to work on an agreed date. The

maximum period of postponement of leave is six months from the date of postponement. The colleague must provide a letter or an appropriate document from the hospital or the baby's GP confirming the date that the baby was discharged from hospital, before resuming leave. Resumed leave must commence within seven days of the baby's discharge from hospital.

Absence due to colleague sickness during a period of postponement:

If the colleague falls ill during a period of postponement, and subsequently is absent from work, she will be deemed to have resumed maternity leave from the first day of absence. If the colleague prefers to avail of sick leave, she must write to her manager and confirm this. Please note that if a colleague opts to transfer to sick leave, she forfeits her right to any remaining maternity leave entitlements.

Termination of Additional Maternity Leave:

Should the colleague fall ill during the additional maternity leave, or if she has indicated that she has the intention to avail of additional maternity leave and then falls ill, the colleague may apply to her manager to commence sick leave instead of taking the remaining additional maternity leave.

IMPORTANT: When such a request is made, and granted, you forfeit your right to the remaining additional leave. In such circumstances, the sick leave will be treated in the same manner as any other absence on sick leave, and normal sick leave reporting arrangements will apply. The decision to offer this termination of additional maternity leave lies entirely at the discretion of the company.

Breastfeeding Arrangements:

When a colleague who is breastfeeding returns to work within 26 weeks of the birth of her baby, she will be entitled to work breaks or a reduction in working hours equivalent to one (1) hour per day for the purposes of breastfeeding. Where suitable facilities are available in the workplace, this benefit will be through rest breaks, otherwise the colleague can avail of a reduction in working hours. For the purposes of the 2004 Act "breastfeeding" means breastfeeding a child or expressing breast milk and feeding it to a child immediately or storing it for the purposes of feeding it to a child later.

This entitlement may be availed for up to 26-weeks after the date of birth of the child. Breastfeeding breaks or a reduction of hours will comprise of one 60-minute period, two 30-minute periods, or three 20-minute periods as agreed with your manager. Part time colleagues will be entitled to a pro- rata benefit to that provided to full-time colleagues.

To avail of this benefit, the colleague must inform their manager of the intention to avail of this work break / reduction in hours when advising the company that she will be returning to work, i.e., not later than four weeks before the intended return to work date. The colleague should include a copy of the child's birth certificate with such an application. The colleague will remain on full pay during the period of breaks or when hours are reduced for breastfeeding purposes.

Company issued ICT Property Policy while on Maternity Leave:

All Information and Communications Technology issued to you for work purposes should be dealt with in line with Group colleague welfare and company security policies as follows and where applicable:

- **Company email** – update your out of office message appropriately; your email will be disabled for the duration of your leave. If you wish to receive company updates and information by email, please contact HR with your personal email before commencing leave
- **Company laptop** – to be returned to your manager before commencing maternity leave; if on sick leave or health & safety leave before commencing Maternity Leave, the same procedure applies, and you should contact HR to arrange for your laptop to be collected or turned

- **Company tablet / iPad** – to be returned to your manager before commencing maternity leave; if on sick leave or health & safety leave before commencing Maternity Leave, the same procedure applies, and you should contact HR to arrange for your laptop to be collected or turned
- **Company mobile phone** – as per the company mobile phone policy
- **Company desktop phone** – desktop phones should have updated voicemail messages with appropriate alternative contact and IT informed to reassign phone if required
- **Company desktop PC** - HR informed as part of the maternity leave notification process; files should be backed up to the server as any desktop files will be deleted. No personal information should be stored on your desktop PC as per our company Data Policy

GDPR:

Records of Maternity Leave taken will be retained on the colleague file as per the company GDPR retention policy.

Approved by General Manager: _____ **Date:** _____