



Republic of Labour Law - Irish HR Updates in March

By **Niall Pelly** and **Dónall Breen** - 31 March 2021

Welcome to our March edition of Republic of Labour Law, a monthly newsletter in which we distil the most important Irish legal and HR updates from the last month in 500 words or less.

This week in the Republic of Labour Law, we discuss family leave entitlements and big changes to our newsletter.

We start with an upcoming change to Parent's Leave. Currently, Parent's leave entitles each parent to 2 weeks' leave during the first year of a child's life, or in the case of adoption, within one year of the placement of the child with the family.

However, this entitlement will increase from 2 weeks to 5 weeks in April this year. Although the legislation still needs to be officially passed by the government, the change will have retrospective effect meaning the increase is available for any child born or adopted on or after 1 November 2019. Further, the period during which this leave can be taken has been extended from 12 to 24 months. It may be worth updating your family leave policies when you have a moment.

Generally, family leave can be a little confusing in Ireland. This is complicated by Parent's Leave which is a relatively unique Irish construct. It is an entirely separate entitlement from other family leave provisions and can be taken in addition to them.

By way of reminder, in addition to Parent's Leave, new parents can also avail of one of the following (subject to certain qualifying criteria):

- Maternity leave - up to 42 weeks
- Adoptive leave - up to 42 weeks
- Paternity leave - 2 weeks

To complicate matters further, parents of children under the age of 12 also have a separate right to 26 weeks of leave called Parental Leave.

For businesses, the important point to note is that there is no requirement for the employer to pay employees during any of the above leave. However, employees may be able to claim some benefits from the government during this time (such as Maternity Benefit).

However, it is worth bearing these various entitlements in mind when developing enhanced family leave pay policies. For example, if your business is offering 10 weeks of paid leave to secondary caregivers, you should be clear whether this includes their entitlement to take Parent's Leave AND Paternity Leave or not.

In other news, the Republic of Labour Law is changing.

After reviewing the way in which our readers engage with content from this update, we have decided that a dedicated blog would be the best way to keep you updated on developments in Ireland. In next week's newsletter we will share the link to our revamped Republic of Labour Law and look forward to seeing you there.

Until next time, wishing you all the best from GQ|Littler Dublin.