



## Irish Research Council Policy on Leave for Parents & Carers *Maternity, Paternity, Adoptive, Parent's, Parental & Carer's Leave*

Effective 1 November 2021

(updated 1 April 2022)

### **1. OVERVIEW & SCOPE**

- 1.1. This Irish Research Council (IRC) policy refers to maternity leave, paternity leave, adoptive leave, parent's leave, parental leave and carer's leave for IRC awardees.
- 1.2. This policy covers all postgraduate and postdoctoral awardees of the IRC. It also encompasses principal investigator awardees of the IRC where the awardee's salary is partly or wholly funded by the IRC under the award, and all team members funded through such project awards. It includes all awards made with a co-funding partner (enterprise/employment partners and/or strategic funding partners). The policy forms part of the Terms and Conditions under which IRC awards are made. IRC awardees that are permanent members of staff in host institutions do not fall within the scope of this policy.
- 1.3. For salaried IRC-funded researchers, this policy should be read in conjunction with the terms/conditions of employment and staff policies of the host institution/organisation, in particular in relation to entitlement to continuation of salary for a category of leave. This policy is designed to work in tandem with employment terms/conditions/policies and does not override them.
- 1.4. In relation to IRC-funded postgraduate awardees in receipt of stipend, this policy is designed to underpin supports for such researchers that equate to the statutory entitlements of salaried researchers, in doing so promoting practices within postgraduate education that better align with family or other caring responsibilities.
- 1.5. The IRC will review this policy periodically. We will endeavour to communicate any changes in a timely fashion; however, we reserve the right to amend the policy at any time, without notice.

### **2. SALARIED STAFF WITH PRSI ELIGIBILITY**

- 2.1. For a postdoctoral researcher or principal investigator on an IRC-funded contract who qualifies for social welfare maternity, paternity or adoptive benefit, and who is granted approval for paid leave by their host institution, the IRC will provide to the host institution *top-up funding* for the duration of the paid maternity, paternity and adoptive leave (see Section 4 below for a summary of these durations). Where appropriate, an application to suspend the award for the period of the approved leave must be submitted to the IRC.
- 2.2. '*Top-up funding*' in Clause 2.1 refers to the difference between social welfare maternity, paternity or adoptive benefit and the postdoctoral or principal investigator salary stipulated for that employee in the IRC-funded contract. Where a principal investigator's contract is part-funded by the IRC, *top-up funding* as set out Clause 2.1 will be pro-rated according to the IRC's funding share.



- 2.3. In the case of Employment-Based Postgraduate Programme awardees, the IRC will continue to pay the contribution to salary set out in the award for the period of any paid maternity, paternity or adoptive leave. This is provided the employment partner has confirmed, in advance of the leave period, that the awardee will continue to receive a salary during the paid leave. An application to suspend the award for the period of the approved leave must be submitted to the IRC.
- 2.4. The awardee is responsible for ensuring that social welfare maternity, paternity or adoptive benefit is claimed from social welfare in a timely manner.
- 2.5. The IRC may, at its discretion, extend an award for a period less than or equivalent to the period of maternity, paternity or adoptive leave, where such an extension is necessitated by the relevant approved leave (i.e., a costed extension). A request for an extension must be made by the relevant awardee on the relevant form, available [here](#).
- 2.6. In exercising its discretion on an application for an extension of an award, the IRC will have regard to the nature and objectives of the project or proposal, to the Terms and Conditions of the award, and to whether the extension is necessary to ensure that all deliverables of the project or proposal are met. The IRC is unable to grant extensions for international consortium-based projects, such as ERA-Nets.
- 2.7. Without prejudice to Clause 2.6, the following applies to PI-led projects (IRC funded, co-funded or partner-funded). In exercising its discretion on an application for an extension of a team award, the IRC will also have regard to whether deliverables of the award can be met within the duration of the award by permitting a reallocation of awarded funding to replace the person on approved leave. In exercising its discretion on granting an application for an extension of a co-funded award, the IRC will also have regard to the position of the co-funding partner(s).
- 2.8. The IRC will transfer any approved *top-up funding* to the host institution during the leave period.

### 3. SALARIED STAFF *WITHOUT* PRSI ELIGIBILITY AND POSTGRADUATE STUDENTS

- 3.1. For a postdoctoral researcher or principal investigator on an IRC-funded contract who *does not* satisfy the PRSI contribution conditions for maternity, paternity or adoptive benefit, and who is granted approval for paid leave by their host institution the IRC will provide to host institutions the salary amount<sup>1</sup> for the duration of the paid maternity, paternity or adoptive leave (see Section 4 below for a summary of these durations). Where appropriate, an application to suspend the award for the period of the approved leave must be submitted to the IRC.
- 3.2. For postgraduate students funded by the IRC, we will provide funding to host institutions in respect of persons taking approved maternity, paternity or adoptive leave from their studies. In each case, funding is tenable for a period not exceeding those set out in Section 4 below.

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<sup>1</sup> Inclusive of employment costs, as applicable.



- 3.3. The level of funding provided to postgraduate students for the duration of approved leave will be either:
- a) the stipend amount for those postgraduate students that do not qualify for the relevant social welfare benefit; or
  - b) *top-up funding* for those postgraduate students that do qualify for the relevant social welfare benefit. This *top-up funding* is the difference between the amount of the relevant benefit and the IRC postgraduate stipend.

An application to suspend the award for the period of the approved leave must be submitted to the IRC.

- 3.4. Clauses 3.1-3.3 do not apply to Employment-Based Postgraduate Programme awardees. Clause 2.3 above applies to Employment-Based Postgraduate Programme awardees whether or not they are eligible for statutory benefit in respect of paid leave.
- 3.5. The IRC will not cover the cost of any additional postgraduate registration fees, based on the expectation that these will be waived by the host institution during the period of leave
- 3.6. Further to clause 3.1 and 3.3(a), the host institution is responsible for verifying the ineligibility for social welfare maternity, paternity or adoptive benefit of the employee or student.
- 3.7. The IRC may, at its discretion, extend an award for a period less than or equivalent to the period of maternity, paternity or adoptive leave, where such an extension is necessitated by the relevant leave. A request for an extension must be made by the relevant awardee on the relevant form [here](#).
- 3.8. In exercising its discretion on an application for an extension of an award, the IRC will have regard to the nature and objectives of the project or proposal, to the Terms and Conditions of the award, and to whether the extension is necessary to ensure that all deliverables of the project or proposal are met. The restrictions for ERA-Nets/international consortium projects as stated in 2.6 above apply.
- 3.9. Without prejudice to Clause 3.8, the following applies to PI-led projects (IRC-funded, co-funded or partner-funded). In exercising its discretion on an application for an extension of a team award, the IRC will also have regard to whether deliverables of the award can be met within the duration of the award by permitting a reallocation of awarded funding to replace the person on approved leave. In exercising its discretion on granting an application for an extension of a co-funded award, the IRC will also have regard to the position of the co-funding partner (s).
- 3.10. The IRC will transfer any approved funding to the host institution during the leave period, on receipt of proof for ineligibility for the relevant social welfare benefit, as described in Clauses 3.1 and 3.3(a) above. Pro-rating of funding as described in Clause 2.2. above may apply.
- 3.11. Where a postgraduate IRC awardee is supported by a Student Universal Support Ireland (SUSI) grant, it is a matter for the awardee and their host institution, and not the IRC, to inform SUSI of leave of absence (and suspension of SUSI grant).

#### 4. STATUTORY OR OTHER ENTITLEMENTS TO UNPAID LEAVE

- 4.1. Postgraduate students or employees on IRC-funded contracts may be entitled under statutory or institutional policies to unpaid leave<sup>1</sup>, such as parental leave, parent's leave or carer's leave.
- 4.2. The host institution is responsible for verifying eligibility for and approving unpaid leave. Where appropriate, an application to suspend the award for the period of the approved leave must be submitted to the IRC.
- 4.3. The IRC may, at its discretion, extend an award for a period less than or equivalent to a period of approved unpaid leave, where such an extension is necessitated by the relevant leave. A request for an extension must be made by the relevant awardee on the relevant form [here](#).
- 4.4. In exercising its discretion on an application for an extension of an award, the IRC will have regard to the nature and objectives of the project or proposal, to the Terms and Conditions of the award, and to whether the extension is necessary to ensure that all deliverables of the project or proposal are met. The restrictions for ERA-Nets/international consortium projects as stated in 2.6 above apply.
- 4.5. Without prejudice to Clause 4.4, the following applies to PI-led projects (IRC-funded, co-funded or partner-funded). In exercising its discretion on an application for an extension of a team award, the IRC will also have regard to whether deliverables of the award can be met within the duration of the award by permitting a reallocation of awarded funding to replace the person on approved unpaid leave. In exercising its discretion on an application for an extension of a co-funded award, the IRC will also have regard to the position of the co-funding partner(s).

#### 5. SUMMARY OF STATUTORY ENTITLEMENTS TO LEAVE (CORRECT AS OF APRIL 2022)

Please note that the table below is a summary only. Detailed information regarding entitlements may be obtained from your host institution, Department of Social Protection and/or Citizen's Information.

Type of leave	Duration	Notes and/or additional entitlements
<i>Maternity*</i>	26 weeks' leave  <b>Note:</b> For researchers with less than 26 weeks left in their contract (associated with IRC funding), their entitlement to any paid maternity leave only extends to the end of their contract.	Those in receipt of maternity leave also have the right to an additional period of 16 weeks' unpaid leave, which must begin immediately after the end of the 26 weeks' basic maternity leave. There is no entitlement to social welfare maternity benefit for the additional 16 weeks' leave. As such leave is unpaid, IRC funding will not be provided.

<sup>1</sup> Unpaid by employer or with no statutory obligation by employer to provide pay during the leave.



<i>Paternity</i>	2 weeks' leave	This may start any time in the first 6 months after the birth or placement in the case of an adoption.
<i>Adoptive</i>	24 weeks' leave <b>Note:</b> For researchers with less than 24 weeks left in their contract (associated with IRC funding), their entitlement to any paid adoptive leave only extends to the end of their contract.	Those in receipt of adoptive leave also have the right to an additional period of 16 weeks' unpaid leave, which must begin immediately after the adoptive leave period. There is no entitlement to social welfare adoptive benefit for the additional 16 weeks' leave. As such leave is unpaid, IRC funding will not be provided.  In the case of a foreign adoption, some or all the 16 weeks' additional adoptive leave may be taken immediately before the date of placement. There is no entitlement to social welfare adoptive benefit for the additional 16 weeks' leave.
<i>Parent's</i>	5 weeks' leave <b>Note:</b> No statutory obligation on employer to provide paid leave.	Each parent is entitled to 5 weeks' leave for a child born or adopted on or after 1 November 2019. Parent's leave entitles each parent to 5 weeks' leave during the first 2 years of a child's life, or, in the case of adoption, within 2 years of the placement of the child with the family.
<i>Parental</i>	26 weeks' unpaid leave	You may take parental leave for your child until their 12th birthday. If your child has a disability or a long-term illness, you may take parental leave until they are 16 years of age.  Generally, you must have been working for your employer for a year before you are entitled to parental leave.  Both parents have an equal separate entitlement to parental leave. If you both work for the same employer and your employer agrees, you may transfer 14 weeks of your parental leave entitlement to the other parent.
<i>Carer's</i>	13 – 104 weeks' unpaid leave	To receive carer's leave, you must have worked for your employer for 12 months without a break in employment. The person you will be caring for must need full-time care and attention. The person you care for does not have to be a family member or spouse.



		During carer's leave, you may be eligible to receive a social welfare payment from the Department of Social Protection.
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*\*The IRC will cover the cost of annual-leave entitlements accrued over the 26-week leave period. The host institution is required to calculate the amount. The awardee is entitled to full maternity leave if there is a stillbirth or miscarriage after 24<sup>th</sup> week of pregnancy.*

## 6. APPLICATION PROCESS

- 6.1. The first step is for the awardee to get approval for the leave from the host institution. Approval of leave (paid/unpaid) is determined by the host institution's HR and postgraduate researcher policies.
- 6.2. All requests for approved maternity, paternity, adoptive, parent's, parental, and carer's leave should be sent to the relevant scheme-specific email address, whereupon the awardee will be asked to complete the funding scheme's request form. If assistance is needed in directing the request, please contact [info@research.ie](mailto:info@research.ie).
- 6.3. Ordinarily, the IRC will only consider requests made in advance of the period of suspension. At least 4 weeks' notice must be given.
- 6.4. Where the awardee wishes to avail of consecutive approved periods of leave, clear and timely information must be provided by the awardee to the IRC.
- 6.5. When the awardee is returning to their research award after an approved period of leave, they should notify the IRC in advance of return. This should be done at least 4 weeks in advance of the return date.
- 6.6. All notifications must be in writing (by email). The awardee must ensure that the relevant authorities and the host institution are aware of all significant developments.

ENDS

1 April 2022