



POLICY:

Carer's Leave Policy

ADOPTED:

UR 2021#01

AMENDMENTS:

REVIEW:

2026

Carer's Leave Policy

1.0 Policy Statement

1.1 This policy and its procedures will be operated in accordance with the Carer's Leave Act, 2001, relevant circulars as issued by the Department of Education and Skills, Department of Employment Affairs and Social Protection (DEASP) and relevant Government policy.

1.2 All policies, guidelines and protocols of Mary Immaculate College, will reflect the College's commitment to the promotion of equality.

2.0 Scope of Policy

2.1 This Policy is applicable to all employees of Mary Immaculate College.

3.0 Legislation, Regulations and Related Policy

3.1 Governing legislation, regulation and policy in relation to this document includes:

- Carer's Leave Act, 2001

4.0 Responsibilities

4.1 All employees who wish to apply for Carer's Leave must comply with the provisions of this Policy.

4.2 The Human Resources Office is responsible for processing applications for Carer's Leave.

4.3 *An tUachtarán* and the Executive Team of the College shall be responsible for the implementation of and adherence to this policy.

5.0 Carer's Leave

5.1 The Carer's Leave Act, 2001 entitles an employee to take leave for the purpose of providing full time care for another person. In order to be eligible to avail of Carer's Leave, employees must be employed by the College for a minimum of 12 months without a break in service.

5.2 Carer's Leave is unpaid leave, which may be availed of for a minimum of 13 weeks and for a maximum of 104 weeks.

5.3 An employee may be eligible for payment of Carer's Benefit or Carer's Allowance from the Department of Employment Affairs and Social Protection (DEASP).

6.0 Manner in Which Leave May Be Taken

6.1 An employee may take Carer's Leave as one of the following:

- A continuous block of up to 104 weeks;
- Separate blocks to a cumulative total of 104 weeks, subject to a minimum gap of 6 weeks between each block of leave.

6.2 An application for Carers Leave for a period of less than 13 weeks may be refused, in writing, on reasonable grounds.

7.0 Applications for Carer's Leave

7.1 The employee must make an application to DEASP to confirm that the person to be cared for requires that care. DEASP will decide if the person requires full time care and attention. DEASP will also make a decision in relation to eligibility for Carer's Benefit/Allowance.

7.2 An employee must give 6 weeks written notice of their intention to avail of Carer's Leave. The College may, in an emergency, waive all or part of the notification period.

7.3 A letter of application should be submitted to the Director of Human Resources stating:

- That the employee wishes to take carers leave under the Carer's Leave Act, 2001;
- The date the Carer's Leave is to commence;
- The manner in which the leave is to be taken, i.e. in a continuous block or in a series of blocks.
- That the employee has made an application to DEASP to confirm that the person to be cared for requires that care.

7.4 The employee must provide the Human Resources Office with a copy of the decision of the DEASP that the person to be cared for is medical certified as requiring full time care and attention, as soon as they have received it.

7.5 On receipt of an application for Carer's Leave, the Human Resources Office will discuss the application with the relevant Head of Department of Department/Line Manager, and in the event of the application being made by a member of Academic Staff, with the relevant Dean.

7.6 If there is agreement from the relevant Head of Department/Line Manager (and Dean of Faculty where appropriate), that the Carers Leave application is in order and that the leave may be taken in the requested manner, the Human Resources Office will notify the employee of the decision.

7.7 At least two weeks before the commencement date of the Carer's Leave, the Human Resources Office and the employee will sign a Carer's Leave confirmation document which will specify the commencement date and duration of the Carer's Leave and the manner in which the leave will be taken.

8.0 Postponement or Termination of Carer's Leave

8.1 The arrangements specified in the Carer's Leave confirmation document may be amended at any time by agreement of the College and the employee.

8.2 Carer's Leave can end in the following circumstances:

- The person being cared for no longer needs full time care and attention;
- The employee no longer satisfies the conditions for the provision of full time care and attention to the person being cared for;
- The person being cared for dies. If this happens, Carer's Leave will end 6 weeks after the person being cared for dies or on the date specified in the confirmation document, whichever is the earlier;
- A decision by DEASP that the leave should end;
- At any date agreed between the College and the employee.

8.3 If the College becomes aware that Carer's Leave is being abused, it is obliged to notify the DEASP of its concerns.

8.4 An employee must give the College at least 4 weeks' notice in writing of their plan to return to work. The College will notify DEASP of the date of return to work.

9.0 Employment Rights

9.1 An employee will be entitled to accrue annual leave and public holiday entitlements for the first 13 weeks of Carer's Leave.

9.2 A person on Carer's Leave may engage in self-employment or alternative employment or participate in training or education for up to 18.5 hours per week subject to a weekly income limit set by DEASP.

10.0 Appeals

10.1 In the event that an employee wishes to appeal a decision with regard to Carer's Leave this must be dealt with in accordance with the grievance procedure in the first instance.

11.0 Audit and Review

11.1 This policy will be reviewed on a five yearly basis or if any legislative changes are enacted in the interim. The Director of Human Resources will initiate the review.