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NEWS REPORT

Country:	Ireland
Title:	Parental leave and paternity leave
Date:	15 June 2016
Expert:	Frances Meenan
<u>Context</u>	
Issue at stake:	Parental leave and paternity leave
Ground of discrimination:	Sex
Source:	Miscellaneous (Ministerial announcement)
Field:	Employment
Applicable law:	Maternity Protection Acts 1994-2004; Adoptive Leave Acts 1995-2005; Parental Leave Acts 1998-2006; Social Welfare Consolidation Act 2005 (as amended).

Content

Law development: In January 2016, it was announced by government that there was to be a Family Leave Act which would consolidate the maternity, adoptive and parental leave legislation and to include paternity leave. The present legislation is cumbersome and complicated. To date no draft legislation has been published, in the main due to a general election in February 2016 and the lengthy time it took to form a government.

The Minister for Social Protection announced on 8 June 2016 that paternity leave of two weeks for employed and self-employed fathers is to be introduced in September 2016; this should also include such leave for adoptive fathers. The rate of benefit for such leave is to be EUR 230 per week gross. The leave will have to be during the 26 week maternity leave that a natural or adoptive¹ mother has. There may be additional contractual pay between employer and employee.

In addition, the Prime Minister (Taoiseach) announced on 10 June 2016 that there is to be an extension of parental leave next year, 2017.

In addition, the Minister for Social Protection has announced that he is looking at expanding the state social protection scheme for the self-employed, who presently have few benefits.

Key points of analysis: This legislation is awaited.

The Minister for Social Protection has also announced generally that he wants to put in place more protection for the self-employed. During the economic crisis, the self-

¹ 24 weeks in the case of an adoptive mother.

employed (e.g. professionals and owners of small businesses) received no protection, such as unemployment benefit. Obviously for logical reasons, it is frequently unclear as to when a self-employed person becomes unemployed. Self-employed persons have no entitlement to long-term illness benefit. This is an important development because there has been scant regard for the self-employed.

Internet link sources:

<http://www.independent.ie/irish-news/politics/varadkar-planning-to-extend-welfare-benefits-34784933.html>, accessed 13 June 2016.

<http://www.independent.ie/irish-news/politics/two-weeks-of-paid-paternity-leave-for-selfemployed-dads-34792988.html>, accessed 13 June 2016.

<http://www.irishexaminer.com/ireland/cabinet-to-give-parents-extra-four-weeks-of-paternity-leave-404377.html>, accessed 15 June 2016.