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FLASH REPORT

Country:	Ireland
Title:	Parental Leave Act
Date:	5 July 2019
Expert:	Frances Meenan
Update of flash report:	Ireland - Paternity Leave (PDF 234 kB)
Context	
Issue at stake:	Extension of parental leave
Grounds of discrimination:	Gender
Field of application:	Family related leave
Source	National legislation
Applicable law:	Parental Leave Acts 1998 to 2019

Content

Policy development: The Parental Leave (Amendment) Act 2019¹ increasing parental leave has been signed by the President on 22 May 2019 and is awaiting the relevant orders from the Minister for Justice and Equality to bring it into effect.

Under Irish legislation there is 26 weeks paid maternity leave and 16 weeks unpaid additional maternity leave/ 24 weeks paid adoptive leave and 16 weeks unpaid adoptive leave/ two weeks paid paternity leave and presently parental leave of 18 weeks to be increased to 22 weeks effective 1 September 2019 and to 26 weeks from 1 September 2020. The children's age limit is to increase from 8 years to 12 years.

In addition, the Minister for Employment Affairs and Social Protection has announced that there is to be the commencement of a number of weeks of paid parental leave commencing 1 November 2019. It provides that all new parents will be entitled to two weeks paid parental leave in the first year following their baby's birth or placement by adoption. This applies to all parents whether employed or self-employed. Initially, there will be two weeks leave rising to seven weeks paid leave over a number of years. This leave is non-transferable and it is on a 'use it or lose it' basis. The rate will be EUR 245 gross per week. It is envisaged up to 60 000 parents will be able to benefit from it over the next few years. The General Scheme of the Parental Leave and Benefits Bill 2019 has been published to put such leave and benefits into effect.

Key points of analysis: The legislation extending parental leave commenced as a Private Members' Bill in 2017 by an Opposition member of the *Oireachtas* (parliament) and was accepted by government. Prior to the passage of that legislation, the Minister for Employment Affairs and Social Protection announced that for the first time that there would be paid parental leave effective 1 November 2019. It is to be introduced on a staggered basis. For the first time, the self-employed will have an entitlement to parental leave, i.e. the paid parental leave.

¹ Parental Leave (Amendment) Act 2019 available at; <https://www.oireachtas.ie/en/bills/bill/2017/46/>.

Internet link source:

<http://m.welfare.ie/en/pressoffice/Pages/PR230419.aspx>.

<http://www.justice.ie/en/JELR/General Scheme of the Parental Leave and Benefit Bill 2019.pdf/Files/General Scheme of the Parental Leave and Benefit Bill 2019.pdf>.

<https://www.rte.ie/news/politics/2019/0513/1049271-parental-leave-bill/>.

https://data.oireachtas.ie/ie/oireachtas/bill/2017/46/eng/ver_c/b46c17d-as-passed-by-both-houses.pdf.

<http://www.justice.ie/en/JELR/General Scheme of the Parental Leave and Benefit Bill 2019.pdf/Files/General Scheme of the Parental Leave and Benefit Bill 2019.pdf>.