

# Family leave provision for teachers

The INTO Equality Committee, as part of its work on the statutory grounds of family status, marital status and gender, has developed this brief guide to the categories of leave available to teachers with family/caring responsibilities. The information on the table overleaf is correct at time of print (September 2017) but may need to be checked for possible updates.

## Notes

1. Unpaid leave categories generally, and certain types of paid leave, require board of management and Department of Education and Skills permission/approval. Although a teacher will be off the payroll for the unpaid period, authorised unpaid leave is not a break in service and a teacher resumes work on the same conditions as applied when taking leave.
2. The definition of 'immediate family' is not consistent across applicable leave categories; you are advised to check in the appropriate circular or on the INTO website.
3. While intended as a summary of leave entitlements related to certain grounds in equality legislation, this information sheet does not purport to be an authoritative statement on such leave; you are advised to consult the relevant circular(s) for further information.
4. A general listing of categories of teacher absences and associated matters is contained in the DES publication *Terms and Conditions of Employment for Registered Teachers in Recognised Primary and Post-Primary Schools* (Edition 2) on [www.education.ie](http://www.education.ie)

### Paternity leave

From September 2016, teachers are entitled to paternity leave of a period of two consecutive weeks' paid leave within six months of the birth/adoption of a child.

Eligible teachers who pay Class A PRSI should apply for Paternity Benefit from the Department of Social Protection. For more information see [www.welfare.ie](http://www.welfare.ie).

## Check leave entitlement in seconds

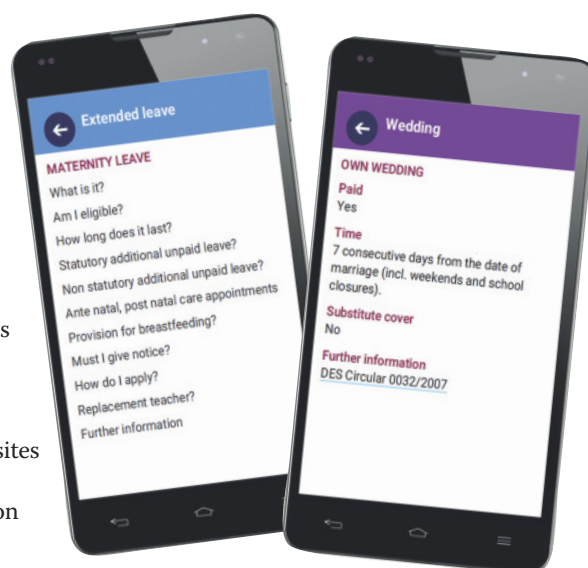
*Download the INTO guide to teachers' leave app*



INTO members can check entitlement to leave in seconds through the INTO guide to teachers' leave app. The app contains information on brief absences, extended leave and sick leave. It outlines whether or not the leave is paid or unpaid, whether substitute cover is allowed, how to apply for leave, and much more.

Download from iTunes and Google Play. Search for 'INTO guide to teachers leave', ensuring software on iPhones or Android devices is up-to-date before downloading.

Links to relevant circulars and websites are contained in the app allowing members to get additional information on leave.



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Family Leave	Purpose	Paid	Maximum period	Sub cover	Full details
<b>Family Illness (including Force Majeure)</b>	Urgent tending to a family member who is ill, including accompanying to hospital	Yes	5 school days in a school year (for 'immediate' family). 3 school days for near relative	Yes, no sub cover for first day	Circular 32/07 – Section 1 and Appendix A
<b>Family Bereavement</b>	Related to bereavement and/or attendance at ceremonies	Yes	5 consecutive days or 3 consecutive days (5 days for 'immediate' family)	Yes	Circular 32/07 – Section 1 and Appendix A
<b>Marriage Leave</b>	Teacher's own wedding and days following (if school due to be open)	Yes	7 consecutive days (from date of marriage)	No	Circular 32/07 – Section 3
<b>Graduation/Commissioning Reception/Other's Marriage Leave</b>	Immediate family member graduating, entering Garda/Defence Forces, entering religious order, near relative marrying	Yes	1 school day	No	Circular 32/07 – Section 3
<b>Court Leave – Family Law</b>	Court proceedings re legal separation	Yes	1 school day	No	Circular 32/07 – Section 3
<b>Maternity Leave</b>	Birth and early care	Yes	26 consecutive weeks (and option of additional unpaid leave)	Yes	*Chapter 4 – Terms and Conditions of Employment
<b>Adoptive Leave</b>	To allow adopting teacher a period with placement of adopted child	Yes	24 consecutive weeks (and option of additional unpaid leave)	Yes	*Chapter 6 – Terms and Conditions of Employment
<b>Paternity Leave</b>	Caring responsibilities soon after the birth or placement of a child	Yes	2 consecutive weeks within 6 months of birth/placement	Yes	*Chapter 5 – Terms and Conditions of Employment
<b>Parental Leave</b>	Care of children under 13	No	18 weeks per child	Yes	*Chapter 7 – Terms and Conditions of Employment
<b>Other Leave related to Parenthood</b>	Health and safety leave during pregnancy, antenatal classes, time for breast-feeding etc	Yes	Variable – e.g. max 1 hour per day (within 26 weeks of birth) for breast-feeding	Generally yes	Circulars 32/07 and *Chapter 4 covers limited breast-feeding provisions
<b>Carer's Leave</b>	Care for person medically certified as in need of care	No	104 weeks (in respect of 1 'relevant person')	Yes	Chapter 10*, Carer's Leave Act 2001 amended by Social Welfare & Pensions Act 2006 (Schedule 9), Circular 32/07 – Section 2.
<b>Job-Sharing</b>	Work flexibility for family or other reasons	Half Pay	Unspecified	Fixed-term teacher appointed	*Chapter 9 – Terms and Conditions of Employment
<b>Extra Personal Vacation</b>	Family or other reasons	Yes	5 school days, but linked to length of approved course attended	No	Circular 32/07 – Section 3
<b>Career Break</b>	Break from normal duties for purpose of caring, study, travel etc.	No	10 school years, max of 5 years consecutively	Fixed-term teacher appointed	*Chapter 8 – Terms and Conditions of Employment
<b>Unpaid Leave</b>	Compelling obligation requiring leave	No	10 school days in one school year	Yes	*Chapter 11 – Terms and Conditions of Employment

NB: Approval may also be given for other brief absences. See DES website for info on revised sick leave arrangements from 1/9/14. More

information on sick leave and brief absences at [www.into.ie](http://www.into.ie) and on INTO's Leave app. \*For relevant chapters refer to DES publication *Terms and*

*Conditions of Employment for Registered Teachers in Recognised Primary and Post Primary Schools* (Edition 2) on [www.education.ie](http://www.education.ie)