



## Carer's Leave

HR Policy Document Record	
Reference Number	HRP013
Policy Owner	Human Resources
Approval Body	HR
Creation Date	June 2005
Revision Date(s)	January 2016, August 2017, April 2018
Notes	No content change

## **1. INTRODUCTION**

- 1.1. This policy has been written with reference to the Carer's Leave Act, 2001.
- 1.2. Details on the procedure and general provisions for Institute staff wishing to avail of Carer's Leave are outlined below.

## **2. OBJECTIVE OF THE POLICY**

- 2.1. The Act entitles a staff member to take unpaid leave to enable him/her to provide full time care and attention for a relevant person who is in need of such care.
- 2.2. The Act protects the employment rights of staff who take Carer's Leave. It provides for the temporary unpaid absence from employment of an employee for the purpose of the provision of full-time care and attention to a relevant person requiring it, whilst protecting his/her employment rights.

## **3. ELIGIBILITY**

- 3.1. A staff member must have completed at least 12 months continuous service with the Institute before commencement of such leave.
- 3.2. A care recipient will be considered to be a 'relevant person' if they need continuous supervision and frequent assistance with normal day-to-day activities, or need continuous supervision in order to prevent danger to themselves. A doctor must certify the nature and extent of the care recipient's disability.
- 3.3. Carer's Leave can only be taken for the purpose of providing full-time care and attention to a relevant person who is in need of care, and must do so for the duration of such leave.

## **4. PROCEDURE**

The four stages of the process are as follows:-

### **4.1. Application**

- 4.1.1 The staff member must apply to the relevant government department **at least six weeks in advance** of the proposed commencement date of Carer's Leave.
- 4.1.2 At the same time, he/she must complete and submit the 'Notification of Intention to take Carer's Leave' form at the end of this policy. This notification must state a) the proposed commencement date of the leave; b) the proposed duration of the leave; c) the manner in which the leave is to be taken; d) the proposed cessation date of the leave; and e); a statement that an application has been made to the relevant government department seeking a decision on the eligibility of the relevant person to be cared for.
- 4.1.3 In exceptional emergency circumstances, when it has not been possible to comply with the notice requirement, the staff member must give as much notice to Human Resources Department as is reasonably practicable.
- 4.1.4 The application form, that is **Form CARB1, and Information Leaflet (SW 49) for Carer's Benefit**, are available from the relevant Government department. To apply, the employee must complete and return Form CARB1 to the Carer's Benefit Section in the Department.

#### 4.2. Decision

- 4.2.1. The relevant person must be deemed to be in need of full-time care and attention by the relevant government department. The decision is based on details provided by the relevant person's doctor, which have been assessed by the relevant government department's Medical Advisor.
- 4.2.2 Prior to taking Carer's Leave, the staff member must provide the Institute with a **copy of the decision** from the relevant government department, stating that the relevant person has been medically certified as being in need of full-time care and attention.

#### 4.3. Confirmation

- 4.3.1 If approval to take Carer's Leave has been obtained from the relevant government department, Human Resources Department will outline the proposed arrangements to the staff member in writing, enclosing a confirmation document. The confirmation document must be signed by the staff member no later than two weeks before the leave is proposed to be taken, and he/she should confirm the date on which the leave is proposed to commence, and the requested duration of the leave. **This confirmation document must be immediately signed and returned to the Resourcing Manager for final approval.**

#### 4.4. Resumption

- 4.3.1 A staff member must give notice in writing to the Institute of his/her intention of returning to work, **not less than four weeks** before the date before he/she intends to do so.

### 5. GENERAL PROVISIONS

- 5.1. Under Carer's Leave, a staff member is entitled to only take care of one relevant person at any one time. However, where two relevant persons reside together, an employee can take a combined total of 208 weeks (that is 104 weeks in respect of each person).
- 5.2. Only one person is allowed to use the Carer's Leave for a specific care recipient at any one time.
- 5.3. Carer's Leave is not granted if the care recipient is in receipt of full-time care and attention from someone else.
- 5.4. The staff member must live with the care recipient or, under certain circumstances, be in close proximity to them with a direct line of communication.
- 5.5. It should be noted that qualifying for Carer's Leave does not automatically mean that the applicant will also qualify for Carer's Benefit, as PRSI contributions conditions must be met. Alternatively, Carer's Allowance may be payable, if the PRSI contributions conditions have not been met.
- 5.6. Carer's Leave may be taken as a continuous block of 104 weeks for each relevant person, or, with the agreement of the Institute, in shorter periods adding up to 104 weeks. If the leave is broken up, there must be an interval of at least 6 weeks between each of the leave periods.
- 5.7. The Institute may refuse permission to a staff member to take a period of leave of less than 13 weeks.
- 5.8. A Carer's Leave recipient may work outside of the home for up to 15 hours per week. A staff member may be allowed, **in exceptional circumstances**, to work for up to 15 hours per week in the Institute, whilst on Carer's Leave. There is no obligation on the Institute to facilitate such a working arrangement.

5.9. Staff members on Carer's Leave are regarded as still being in employment and none of their rights relating to employment are affected, with the exception of remuneration, annual leave, public rights, superannuation benefits or any obligation to pay contributions in, or in respect of any such employment. It should be noted that, as Carer's Leave consists of an unpaid absence, such leave is not reckonable for superannuation purposes.

5.10. A staff member accrues annual leave in the initial 13 weeks of absence from work on Carer's Leave, for each relevant period. He/she is entitled to the benefit of public holidays, bank holidays and concession days that occur during the first 13 weeks of absence from work on Carer's Leave, for each relevant period. Carer's Leave cannot be treated as a part of any other leave from employment including Annual Leave, Sick Leave, Adoptive Leave, Maternity Leave, Parental Leave, or Emergency Family (Force Majeure) Leave to which an employee is entitled.

5.11. To ensure preservation of social insurance records, staff members should contact the relevant government department to request that appropriate credits are made.

## **6. QUERIES**

Contact: Resourcing – Leave & Benefits, Human Resources  
E-mail: [hr@dit.ie](mailto:hr@dit.ie)



### NOTIFICATION OF INTENTION TO TAKE CARER'S LEAVE

- Carer's Leave is granted solely for the purpose of taking care of the care recipient named below. A staff member, who has completed 12 months continuous service with the Institute, is entitled to take a total of 104 working weeks unpaid leave for each eligible care recipient .
- This Notification of Intention to take Carer's Leave should be approved by your Line Manager/Head of Function, and then submitted to **Resourcing & Benefits, Human Resources, Dublin Institute of Technology, 5<sup>th</sup> Floor, Park House Grangegorman, 191 North Circular Road, Dublin 7, D07 EWW4** for final approval and implementation, no later than 6 weeks before the proposed commencement date, in accordance with section 9(1) of the Carer's Act 2001.
- Any public holidays, bank holidays or concession days which fall during an initial period of 13 weeks of absence on Carer's Leave, will be added on to the end of the period.

*Under the Carer's Leave Act 2001, I hereby give notice of my intention to take Carer's Leave for the purpose of taking care of :*

\_\_\_\_\_

**Staff Member** \_\_\_\_\_

**Dept./Section** \_\_\_\_\_

**Commencement Date of Employment** \_\_\_\_\_

**Periods of Carer's Leave already taken in respect of the Care Recipient :** \_\_\_\_\_

**Date of application to Department of Employment Affairs & Social Protection:** \_\_\_\_\_

(Please note that the proposed pattern of leave must be **agreed** in advance with your Line Manager/Head of Function, and must be in accordance with the Act and the policy of the Institute)

**Pattern of Carer's Leave :** \_\_\_\_\_

**Proposed Duration of Leave:** \_\_\_\_\_

**Proposed Cessation Date of leave:** \_\_\_\_\_

*I declare that the information given above is accurate and complete. I also undertake to forward a copy of the decision(s) on my application(s) for Carer's Leave to Human Resources Department, immediately on receipt from the Department of Employment Affairs & Social Protection.*

**Signed:** \_\_\_\_\_  
Staff Member

**Date:** \_\_\_\_\_

**Approved:** \_\_\_\_\_  
Line Manager/Head of Function

**Date:** \_\_\_\_\_

**Approved:** \_\_\_\_\_  
Head of Human Resources

**Date:** \_\_\_\_\_