
ROI Adoption Leave Policy

1. Introduction

Graham Facilities Management supports the right of its employees to take adoptive leave and return to work. It therefore aims to provide flexibility in its employment practices in respect to those employees wishing to take adoptive leave.

The policy follows the prevailing statutory provisions and will, therefore, vary in line with any future amendments. It may also be reviewed according to changing business needs and in light of other changes in employment law.

In the event of an employee taking adoptive leave, we would encourage you to inform your line manager at the earliest possible opportunity and in compliance with the notification requirements detailed below.

2. Time off for pre-adoptive meetings or classes

You are entitled to paid time off to attend preparation classes and pre-adoption meetings with social workers Health Service Executive officials, which are held with the State, and are required as part of the pre-adoption process.

You must provide at least 2 weeks written notice to your manager of the dates and times of each appointment.

The right to take time off work only applies in relation to meetings which take place before a child is placed with you for adoption, (or if more than one child is being placed with you as part of the same arrangement, the placement of the first child). There is no additional entitlement where more than one child is being adopted as part of the same arrangement.

3. Entitlement to Adoptive Leave

'Qualifying adopters' can take adoptive leave. A Qualifying Adopter is either:

- The *sole adopter*, in the case of a parent who is adopting a child on their own, or;
- The *nominated parent* in the case of an adopting couple.

The adopting couple can choose who should take the adoptive leave- i.e., who will be the nominated parent. An adopting couple includes a married couple, a couple who are civil parents or a cohabiting couple adopting a child.

Qualifying adopters can take up to 40 weeks' adoptive leave. This is divided into:

- Adoptive Leave of 24 consecutive weeks, commencing on the date of the placement of your child;

- Additional Adoptive Leave of 16 weeks commencing immediately after 24 weeks Adoptive Leave.

In the case of a foreign adoption, all or part of the 16 weeks Additional Adoptive Leave may be taken immediately before the day of placement. If you wish to avail of this option you must inform the Organisation in writing four weeks before the leave is due to begin.

If you are jointly adopting with your partner, only one of you can elect to take adoptive leave (even if you have different employers). So, you must elect which of you will be the 'primary adopter' for the purpose of taking adoptive leave and, if eligible, receipt of adoptive benefit (see below). The other adopter may, however, be eligible to take paternity leave and receive paternity benefit.

4. Other Leave

Adopting parents are also entitled to other types of leave. For more information on these types of leave please see our relevant policy or contact HR.

Parental Leave: Subject to having 12 month's continuous service, adopting parents are entitled to 26 weeks' unpaid parental leave that must take before the child is 12 years of age (or 16 years of age if the child has a disability).

Paternity Leave: Adoptive parent, who have not taken Adoptive Leave, is entitled to 2 weeks' Paternity Leave.

Parent's Leave: Adopting parents are also entitled to 7 weeks Parent's Leave to be taken within the first 2 years of the child being placed for adoption.

5. Notice requirements for Adoptive Leave and starting adoptive leave

Please let us know as soon as possible if you are seeking to adopt, so we can plan together to accommodate your needs and, if applicable, plan for your adoptive leave.

You must provide written notice of your intention to take adoptive leave no later than 4 weeks before the expected of placement of the child.

You must also provide at least 4 weeks' notice of your intention to take Additional Adoptive Leave. You can give notice to take both Adoptive Leave and Additional Adoptive Leave at the same time.

In cases of foreign adoption, all or part of the Additional Adoptive Leave may be taken before the child is placed; if you wish to avail of this option, you must provide us with at least 4 weeks written notice before the leave is due to begin.

6. Evidence of Placement

You must provide us with a copy of the certificate of placement as soon as is reasonably practicable, but no later than 4 weeks after the placement of the child.

In cases of foreign adoption, you must give us a copy of the declaration of eligibility and suitability before beginning Adoptive Leave or Additional Adoptive Leave (whichever is the earlier). You must also provide us with the details of the placement as soon as is reasonably practicable.

7. Postponing your adoptive leave in the event of hospitalisation of the child

If you are unable to commence your Adoptive Leave or Additional Adoptive Leave on your specified date because your child is in hospital, you can request to postpone (or delay) your leave. You must make this request in writing to us as soon as is reasonably practicable.

Should we decide to agree to your request to postpone your Adoptive Leave or Additional Adoptive Leave, you will return to work on an agreed date. Your Adoptive Leave or Additional Adoptive Leave must then be taken at a future time, no later than 6 months from the date of the postponement.

You must provide evidence, either from a GP or the hospital providing care, that the child has been discharged before your period of Adoptive Leave or Additional Adoptive Leave can resume. Resumed leave must commence within 7 days of the child's discharge from hospital, or by agreement.

If you fall ill during a period of postponement, and are subsequently absent from work, you will be deemed to have resumed adoptive leave from the first day of absence, unless you have confirmed in writing that you do not want this to occur. If you prefer to take sick leave, you must write to your manager and confirm this. In these circumstances, any remaining adoptive leave entitlements are forfeited.

8. Sickness during Adoptive Leave or Additional Adoptive Leave

If you become ill during any period of Adoptive Leave or Additional Adoptive Leave and are subsequently absent from work, you can apply to the Organisation to end your Adoptive Leave or Additional Adoptive Leave and commence sickness absence. Your remaining Adoptive Leave or Additional Adoptive Leave entitlement will then be lost.

9. Termination of Adoptive Leave

If the placement of an adopted child is terminated after a period of less than 24 weeks, you must notify your line manager within 7 days of this taking place. You will be provided with a return-to-work date, no later than the date you were due to return to work after the period of Adoptive Leave or Additional Adoptive Leave.

10. Adoptive Benefit

Subject to your PRSI contributions you may be entitled to receive adoptive benefit for the Department of Social Protection. You must apply directly to the Department of Social Protection for this payment, which (if eligible) is made for a maximum of 24 weeks.

For more information on adoptive benefit, please visit:

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<https://www.gov.ie/en/service/295b84-adoptive-benefit/>

A copy of the form to apply for adoptive benefit is also attached to this policy.

11. Company Adoptive Pay

Employees with 12 months continuous service at the date their leave is due to commence, will be eligible for 24 Weeks Full Pay.

If you are eligible to receive company adoptive pay, you will receive your normal salary less any adoptive benefit you may be entitled to receive from the Department of Social Protection.

It is a condition of payment of company adoptive pay that you must provide us with appropriate evidence any social welfare cheques/entitlements. If the Company is not satisfied with the evidence provided, you will be ineligible for Company adoptive pay.

12. Repayment of enhanced level:

Employees must return to work for a minimum of 12 months following enhanced paid family leave. In the event of leaving within this minimum period, the employee must return the enhanced element above the statutory limits as follows:

- Within 6 months - 100% repayable of the enhanced family leave pay
- Between 6 months and up to 12 months - 50% repayable of the enhanced family leave Pay

13. Terms and conditions during adoptive leave

Your employment rights continue during your period of adoptive leave, except for your salary.

During your adoptive leave, your entitlement to paid holiday, including public holiday, will continue to accrue at the rate provided under your contract of employment.

14. Return to work

You must provide at least 4 weeks written notice of your intended return to work date.

You are entitled to return to your previous role following any period of adoptive leave unless it is not reasonably practicable for you to do so in which case you will be offered suitable alternative work.

We may meet with you prior to your return to work to discuss the arrangements for your return, to include any developments that have taken place during your period of adoptive leave and any training which may be appropriate in light of such developments.

15. Resignation during Adoptive Leave or Additional Adoptive Leave

If you do not wish to return to work following a period of adoptive leave, you must provide written notice of your resignation in accordance with your contract of employment.

16. Status of this policy

This policy does not give contractual rights to individual employees. The Company reserves the right to alter any of its terms at any time, although we will notify you in writing of any changes.

