

Civil Service Conciliation and Arbitration Scheme

General Council Report 1423

(Meeting/s of 30 October 2002, 18 December 2002, 29 January 2003)

That, in the case of a pre-natal or stillborn death of a child, special leave with pay be granted to the father where a death certificate has been issued.

1. The Staff Side presented their claim by stating that, in the case of a prenatal death or stillborn death of a child, special leave with pay should be granted to the father where a death certificate has been issued.
2. The Staff Side highlighted the fact that fathers qualify for special leave with pay for a number of reasons (including paternity and death of a child) but not in the event of a prenatal death and felt that the cost of conceding this claim would be minimal given the number of cases involved.
3. Maternity legislation (Social Welfare Consolidation Act 1993 as amended by the Social Welfare Act 1997) provides for the payment of maternity benefits and the granting of maternity leave after 24 weeks pregnancy in cases of prenatal and stillborn deaths. The Official Side agreed that bereavement should be available to fathers in cases of prenatal and stillborn death after 24 weeks pregnancy. Providing 5 days bereavement leave would ensure consistency with maternity legislation.
4. The Official Side also stated that delays with the issuing of death certificates can arise and therefore officers would not be required to produce a certificate. Rather, the officer would be asked to provide verification that the pregnancy reached 24 weeks prior to the prenatal death.
5. It was proposed that a letter to Personnel Officers would issue in due course after agreement has been recorded.
6. This report recording agreement was adopted on 29 January 2003.

Report, recording agreement.

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