Maternity and Parental Leave

Employees have wide ranging entitlements to maternity and parental leave. The provisions are extremely complex. It is important that employers adhere to the provisions. If not, the employer runs the risk of a claim for unfair dismissal or discrimination. This can result in:

- Financial penalty. The compensatory award is now £72,300 for unfair dismissal and unlimited for discrimination.
- Adverse publicity.
- Unnecessary Time Wasted

Maternity Provisions

Female employees who qualify are entitled to:

- Paid time off for antenatal care.
- 26 weeks ordinary maternity leave plus a further 26 weeks additional maternity leave.
- Protection from dismissal by reason of pregnancy or childbirth.
- Maternity pay.
- Return to work after maternity leave.
- An offer of alternative work before being suspended on maternity grounds.
- Remuneration on suspension on maternity grounds.

Parental Leave Provisions

Parents (both mother and father) who have 1 years service are entitled to the following:

- Unpaid leave to look after a child.
- Protection from dismissal.
- Right to return to the same or similar job.

Provisions include:

- 13 weeks unpaid leave (4 weeks in one year) to be taken before child’s 5th birthday.
- Usually taken in blocks of one week or more.
- 21 days notice must be given by the employee.
- Parental leave may be postponed in some circumstances.
- Special rules for disabled children (including up to 18 weeks leave)

For more information or to discuss your requirements, contact:

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Always take legal advice!

These comments are provided for guidance only. Each situation has to be examined on its own merits and you should not, therefore, rely upon the above without taking specific legal advice in relation to any particular matter.