

Parental Leave

Introduction

The Parental Leave Regulations, which are contained within the Employment Relations Act 1999 entitle employees with at least one year's continuous service to take up to 18 weeks' parental leave if they have a child under the age of eighteen.

Parental Leave is also available to parents who adopt a child. This leave will be unpaid.

How Much Leave Can Employees Take?

An employee who qualifies for parental leave may take a maximum of 18 weeks' leave for each child therefore, someone who has twins may take 36 weeks' leave. If someone adopted two or more children, they may take 18 weeks' leave for each child.

One week's leave is equal to the length of time that an employee is normally at work. So for an employee who works Monday to Friday, it would be five days, and for a part-time employee who worked two days a week, a week's parental leave would be two days.

For employees whose working patterns vary, the average working week would need to be calculated as a fraction of the period which he/she is required to work in a year.

How Can Parental Leave Be Taken?

Employees may choose to take individual days or half-days of parental leave when for example they wish to be with the child rather than rely on their normal childcare arrangements. This could be for many things including, by way of examples, taking the child for routine health check-ups, the child's first day(s) at a new nursery or with a new childminder, or accompanying the child on nursery excursions. Such leave is unpaid and should be applied for in the same way as annual leave.

If an employee chooses to take parental leave in blocks of a week or more, they should give the University at least 21 days' notice. This does not have to be in writing. They may take a maximum of four weeks in a year for each child. If the line manager feels that the employee's absence at the requested time would unduly disrupt the service being provided; the University may postpone the leave for no longer than six months after the requested start date.

The line manager should discuss the reasons for postponement with the employee and inform the employee in writing no later than seven days after the employee's request that the request has been denied. He/she should also give the reason for the postponement and set out agreed revised dates.

The University will not normally seek to postpone parental leave. However, it may be necessary to do so in certain circumstances, for example, if the period requested is a peak in the work of the department/section, or if a significant proportion of the other staff in the department/section are going to be on leave. Applications for parental leave immediately after childbirth will not be postponed. The employee is required to give 21 days' notice of the expected week of childbirth.

When Can Leave Be Taken?

Parental leave can be taken up to the child's eighteenth birthday. Parental leave may be taken immediately after maternity leave. As there is currently provision in the University's Maternity Policy for unpaid maternity leave, it is assumed that parental leave will only be taken after unpaid maternity leave. In this case two weeks notice is required if the employee wishes to take a period of parental leave of one week or more.

Who Can Take Leave?

Both parents are entitled to take up to 18 weeks' leave they must either be named on the child's birth certificate or have parental responsibility under the law for the child. Foster parents and step-parents and other staff, who have parental responsibility, will also be eligible. The reason for taking the parental leave must be to care for the child.

Employees who are adopting a child will be entitled to take parental leave because they will have parental responsibility when they adopt. If an employee has acquired legal parental responsibility for a child who was neither born to them nor adopted, they will also qualify for parental leave.

Parental leave is not transferable, so in other words, one parent cannot transfer their entitlement to the other parent.

Terms and Conditions During Parental Leave

The employment contract continues during a period of parental leave, unless either the employee or the employer terminates it. Parental leave is unpaid but otherwise, normal terms and conditions apply while the employee is on parental leave.

If an employee does not wish to return to work after a period of parental leave he/she must give the normal period of notice required by the University. If an individual wishes to continue to pay normal superannuation contributions whilst on parental leave the University will pay its contribution.

At the end of a period of parental leave the employee has the right to return to the same job as before.