

Employment E-Brief No 78

MATERNITY RIGHTS

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Metcalfes will be exhibiting at the above - a must attend event if you own or manage a business.

www.b2bwest.co.uk

For details and registration.

This week's Daily Telegraph ran a news item entitled "Pregnant Women 'not worth being trained'" in which they reported that many companies do not know or understand their obligations in respect of pregnant employees. Three in four bosses were able to name at least one entitlement - usually maternity leave or maternity pay, and only a quarter sighted paid time off for anti-natal appointments. While what follows is nothing new, it never hurts to recap on the key rights of pregnant employees:

- Paid time off to attend anti-natal classes.
- Either 26 or 52 weeks maternity leave, depending on length of service. The first 6 weeks is paid at 90% of an individual's salary, the next 20 weeks at £102.80 (or the 90% if that is lower) and the remaining 26 (if applicable) is unpaid.
- During ordinary maternity leave, all contractual benefits continue, except salary.
- During additional maternity leave, this changes and only a few contractual obligations operate. The rules are not that complex, but go beyond the scope of this briefing, so please seek advice as and when appropriate.
- Statutory holiday continues to accrue during maternity leave, but whether contractual holiday rights accrue during additional maternity leave depends on the contract itself.
- Health assessments may be required and may result in the need to make changes to working conditions for pregnant staff.

For advice on the right to return, parental and paternity leave, please contact us.

Often a pregnant member of staff will acquaint themselves with the knowledge and pass it on to you, but there is no substitute for understanding your obligations and being pro-active in complying with them. A well drafted set of family friendly policies are extremely helpful in this. For further information or advice, please contact us.

13th August 2004

Whilst every care has been taken in producing this E-brief, no liability is accepted for any errors or omissions. The E-brief is not a substitute for proper legal advice, merely an aid. For further advice, contact Judith or Paul or your usual Metcalfes contact.