

Shared parental leave

Sheryl Sandberg's book 'Lean in' has refreshed the debate on gender equality in the workplace, encouraging women not to sabotage their own careers in order to have children. Sandberg's vision of 50 per cent women in every boardroom could only ever be achieved by changes to employment laws on maternity and paternity provision.

To reduce discrimination based on pregnancy and childbirth and make it easier for men to have an equal role in raising their children, the government has launched the Children and Families Bill introducing shared parental leave for mothers and fathers in 2015.

The new scheme will allow parents to share the statutory maternity leave and pay that is only available to mothers at the moment. Ordinary paternity leave and pay will continue but additional paternity leave and pay will be abolished.

Women currently have the right to up to 52 weeks' maternity leave, regardless of their length of service. An employee must take at least two weeks of leave after the birth of her baby. Women receive statutory maternity pay for up to 39 weeks; for the first six weeks,

Ware & Kay LLP in YORK



Address
Sentinel House
Peasholme Green
York, YO1 7PP



Tel
01904 716 000
Fax
01904 716 100

this is 90 per cent of normal weekly earnings and for the remaining 33 weeks it is paid at a prescribed rate, which is currently £136.78 per week.

At the moment, men can take ordinary paternity leave of one or two weeks, within 56 days of the birth of the baby. Fathers can also take between two and 26 weeks' additional paternity leave, which has to be taken before the child's first birthday if the mother has returned to work.

The proposed shared parental leave period will be 52 weeks, of which 39 weeks will be paid. Mothers will still have to take the first two weeks after the birth but the parents will be able to share the remaining 50 weeks of leave and 37 weeks of pay. Also, fathers will be entitled to unpaid time off work to attend two antenatal appointments.

These proposals are radical and employers will need time to prepare for them. You will need to amend your maternity and paternity policies and consider how you will deal with requests for shared leave, as well as preparing the letters and forms that you will need to use.

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good on paper, even better in person

Contact us

Ware & Kay's specialist, Gill Wilkinson, has extensive experience in all aspects of employment law. Contact her on 01904 716000 or gillian.wilkinson@warekay.co.uk.

Ware & Kay LLP in WETHERBY



Address
The Aire Suite
Brunswick Court
Victoria Street
Wetherby, LS22 6RE



Tel
01937 583 210
Fax
01937 587 556