

Pregnant Employees/ Maternity Leave Top Ten Tips



1. Tell your employer! You must give your employer notice that you are pregnant at least 15 weeks before the expected week of confinement to be eligible for maternity leave and pay. You must also provide them with a certificate (usually in the form MAT1) which will be completed by your medical practitioner confirming the expected week of confinement if requested to provide one. If you are eligible for Statutory Maternity Pay (SMP) you must also give at least 28 days' notice of the date that you expect SMP to begin.
2. Your employer must undertake a risk assessment in the workplace to ensure there are no specific risks to you as a pregnant employee, and if risks are identified they must take reasonable steps to eradicate those risks.
3. You are entitled to paid time off to attend ante-natal care appointments, but your employer can refuse you time off where it is reasonable for them to do so. Your employer can ask for evidence of the appointments (apart from the very first appointment). The amount of time you can have off is a "reasonable" amount of time to attend the appointment.
4. The father of the child also has the right to time off to attend up to two ante-natal care appointments.
5. As a pregnant employee your employer cannot lawfully treat you differently or less favourably because you are pregnant and if they do you might have a claim for discrimination.
6. If you decide to take maternity leave you will continue to accrue holidays which you can take when you return to work, even if this is in the next holiday year.
7. The father of the child might also be eligible to take two weeks' paid paternity leave, provided he is an employee and subject to having a minimum length of service and providing notice to his employer.

8. You have the right to use up to 10 'keeping in touch' days which means you can work for your employer, including attending training, meetings etc while remaining on maternity leave without losing your right to SMP.
9. If a redundancy situation arises when you are on maternity leave and you are at risk of being made redundant, your employer must give you preferential treatment in respect of any alternative roles that are available.
10. If you usually work full time, you do not have the automatic right to return to work part time. Any change to your hours must be agreed by your employer and this will be a permanent change to your contract of employment.

For further information:

Contact Hannah Boynes

033 3344 9600

hannah.boynes@morrishsolicitors.com

