

Family Related Rights for Employees

In more difficult economic conditions employees will wish to be particularly aware of rights given to them by statute. Recently a number of family friendly policies have become law.

Pregnant employees, however long they have been in the job, have the right to paid time off to attend antenatal appointments except for the first appointment.

Risk assessments have to be carried out by employers to identify working conditions and process which could endanger the health of an employee who is pregnant or has just given birth, or her child. Action must be taken to avoid or alleviate the risk or failing this the employee must be suspended, and paid during suspension.

Employees with some exceptions for police and armed forces among others, are also entitled to maternity leave and pay, for twenty-six weeks on giving notice and complying with certain other conditions. It is illegal to require a new mother to work for the first two weeks. Additional maternity leave may be available for a further twenty-six weeks. Maternity pay is payable during these periods.

Such employees have the right to return to work on terms not less favourable than before and not to suffer detriment for exercising any maternity rights. If any employee is dismissed for pregnancy or maternity reasons, the dismissal is automatically unfair.

Other family friendly policies include the right to ask for flexible working where the employee has a young child but there are exceptions for employers who would find it difficult to accommodate this. Also unpaid parental leave up to thirteen weeks in total or four weeks in any one year, to care for young or some disabled children. In both these cases the employee must have been working for the employer for a prescribed period.

Paternity leave and pay and adoption leave and pay are similar to maternity leave and pay but are only available for employees who have worked for the employer for twenty-six weeks.

There is also a right to emergency unpaid leave to care for certain dependants for limited periods.

If you need more information on family friendly employment rights please feel free to contact Alison Fielden & Co, The Gatehouse, Dollar Street, Cirencester, Gloucestershire, GL7 2AN. Tel: (01285) 653261 or email Alison at alison@alisonfielden.co.uk.