

Ref No: E178/2/99

LP 21/5/2007

21 May, 2007

Dear Personnel Officer,

Maternity Leave (Circular 31/2006)

As you are aware, on 1st February 2006 the Maternity Protection Acts 1994 and 2004 were amended by Order so as to bring into effect increases in Maternity Leave as announced in the context of Budget 2006. The new entitlements are as follows:

- Maternity Leave commencing on or before 28 February 2006: 18 weeks
- Maternity Leave commencing on or after 1 March 2006: 22 weeks
- Maternity Leave commencing on or after 1 March 2007: 26 weeks

- Additional maternity leave commencing on or before 28 February 2006: 8 weeks
- Additional maternity leave commencing on or after 1 March 2006: 12 weeks
- Additional maternity leave commencing on or after 1 March 2007: 16 weeks

Following agreement at the Equality sub-committee of General Council it was decided that with effect from 1 January 2000 additional maternity leave, as provided for under Circular 35/95 was counted as service for promotion and increment purposes. In addition, an Order dated 8th February 2001 extended additional maternity leave to 8 weeks and the extra four weeks were also covered by the agreement made at the Equality sub-committee of General Council.

The Maternity Protection (Amendment) Act 2004 extended further the protection of employment rights whilst on additional maternity leave with the effect that additional maternity leave counted for all employment rights associated with the employment (with the exception of remuneration and superannuation benefits), such as seniority, annual leave and public holidays. This change came into effect on 18 October 2004.

I now wish to state that, in line with these previous agreements, and as agreed at the Equality sub-committee of General Council, the additional maternity leave as outlined above is to be counted as service for promotion and increment purposes, as well as for all employment rights mentioned above.

Adoptive Leave (Circular 30/2006)

In relation to adoptive leave, the Adoptive Leave Act 2005 determined that entitlement to Adoptive Leave is as follows:

- Adoptive leave commencing on or before 28 February 2006: 16 weeks

- Adoptive leave commencing on or after 1 March 2006: 20 weeks
- Adoptive leave commencing on or after 1 March 2007: 24 weeks

- Additional Adoptive leave commencing on or before 28 February 2006: 8 weeks
- Additional Adoptive leave commencing on or after 1 March 2006: 12 weeks
- Additional Adoptive leave commencing on or after 1 March 2007: 16 weeks

With effect from 28th November 2005 an employee's absence from work on additional adoptive leave counts for all employment rights (except remuneration and superannuation benefits) associated with the employment, such as seniority and annual leave (section 12 (2) Adoptive Leave Act 2005 refers).

I now wish to state that, in line with previous agreements, and as agreed at the Equality sub-committee of General Council, the additional adoptive leave as outlined above is to be counted as service for promotion and increment purposes, as well as for all employment rights mentioned above.

Yours sincerely,

Gerry Quinlan
Civil Service Equality Unit