

FAMILY LEAVE GUIDELINES



Human Resources

1. INTRODUCTION

London Underground's (LU) Standard on Work-Life Balance highlights the point that employees are entitled to family leave which covers the categories of leave available to employees beyond their annual leave entitlement for a variety of reasons relating to family and domestic commitments, including maternity leave, paternity leave, adoption leave, parental leave, time off for dependants, death or illness of a near relative, funeral leave, moving house and domestic leave.

2. BACKGROUND

The purpose of the Work-Life Balance standard is, wherever practical, to make provisions for flexibility for those employees who need to adjust the balance between work and their life outside work, thereby contributing towards the wider aims of the Work-Life Balance standard, particularly in relation to the retention of skilled and experienced staff.

These guidelines ensure that LU meets its legal obligations regarding allowing employees time off where required in order to meet family and caring responsibilities.

3. MATERNITY LEAVE

LU aims to ensure that women receive the best possible treatment during their pregnancy and following the birth of their baby. Employees are entitled to 26 weeks' ordinary maternity leave regardless of their length of service. A minimum of two weeks must be taken after the baby is born. Employees with at least 26 weeks' service by the 'qualifying week' i.e. by the end of the 15th week before the expected week of childbirth (EWC) are entitled to 26 weeks' maternity leave with statutory and/or occupational maternity pay.

Employees with at least 26 weeks' continuous service by the end of the 15th week before the EWC are also entitled to additional maternity leave of 26 weeks at the end of ordinary maternity leave. Up to 11 weeks can be taken before the expected week of childbirth, and up to 52 weeks can be taken from the beginning of the week in which the child is born, assuming maternity leave started in the EWC. Additional maternity leave is unpaid.

All benefits are retained, with the exception of the effects on pay noted above. In all cases the employee has the right to return to the same job after ordinary maternity leave, and the same or similar job after additional maternity leave.

Further information and guidance on maternity leave can be found in the Employees' Maternity Information Handbook and the Employing/HR Managers' Maternity Information Handbook. These handbooks can also be found on the HR Policy and Reward intranet site.

4. PATERNITY LEAVE, BIRTH OR ADOPTION

An employee (natural father, adoptive parent or mother's partner) may take up to two contractual weeks' paternity leave with pay (subject to a minimum of 5 working days).

Employees with at least 26 weeks' service by the end of the 15th week before the expected week of childbirth of the partner or the advised week of placement of a child with an adopter must:

- notify their employing manager of their intention to take paternity leave by the end of the 15th week before the expected week of childbirth of their partner or no later than 7 days after the placement of the child.
- give at least 28 days notice of the date they expect statutory paternity pay to start.

Paternity leave in respect of childbirth must be taken as a one or two week block of leave within 56 days of the actual date of childbirth or up to 56 days after the expected week of birth of the child with the prior agreement of the employing manager.

An employee who is the partner of an adopter must take statutory paternity leave adoption (SPLA) within 56 days of the date the child is placed for adoption as a one or two week block of leave.

Part time employees who work 1 or 2 shifts per week and who wish to take advantage of their maximum entitlements will be able to take their paternity leave (birth or adoption) over a two week block of leave with any additional days in the following consecutive weeks.

Employees with less than 26 weeks' continuous service by the qualifying week will receive their full contractual salary during this period.

Further information and guidance on Paternity Leave is available from Human Resources (HR) offices. This information can also be found in the Family Leave

handbooks (Employee's and employing/HR managers' version) and on the HR Policy and Reward Intranet site.

5. ADOPTION LEAVE

5.1 Entitlement to Adoption Leave

These entitlements apply in cases where the date on which the child is placed with the adoptive parents is on or after 6th April 2003.

All employees with at least 26 weeks' continuous employment ending with the week in which notification by the adoption agency was given will be entitled to adoption leave, regardless of sex. The eligible employee must be the prime carer (that is, the person who has the main responsibility for the care of the adopted child) and will be entitled to twenty six weeks' ordinary adoption leave (OAL) at full pay and twenty six weeks unpaid additional adoption leave (AAL).

If the employee is not the prime carer of the child, he/she will be entitled to the equivalent of paternity leave (see Section 4 above) called Statutory Paternity Leave - Adoption (SPLA).

Further information and guidance in paternity leave and adoption leave is available from Human Resources (HR) offices. This information can also be found in the Family Leave handbooks (employees' and HR/managers' versions) and on the HR Policy and Reward Intranet site.

6. PARENTAL LEAVE

Parental leave is an entitlement to be absent from work for the purpose of caring for a child. The full entitlement is thirteen weeks' unpaid leave in respect of each child, to be taken in blocks of one or more weeks at a time, subject to a maximum of four weeks' leave per year. This rises to eighteen weeks for parents with a disabled child (parents of disabled children have the flexibility to take leave a day at a time or longer if they wish).

Entitlement extends to those employees who have, or expect to have, parental responsibility for a child, and who have at least one year of continuous service at the time parental leave is taken.

Entitlement continues to apply up to and including the child's fifth birthday and up to and including a disabled child's eighteenth birthday.

Further information and guidance on parental leave, particularly with regard to its application to adopted or disabled children, is available from Human Resources (HR) offices. This information can also be found in the Family Leave handbooks

(employee's and HR/employing managers' versions) and on the HR Policy and Reward Intranet site.

7. TIME OFF FOR DEPENDANTS

Employees are entitled to reasonable time off work, without pay, in order to deal with unforeseen circumstances regarding dependants. Such leave covers such a period as may be deemed reasonable in the circumstances (not usually more than two days).

A 'dependant' is defined for these purposes as a spouse, child or parent of the employee, or any person who lives in the same household as the employee other than by reason of being his or her employee, tenant, lodger or boarder. In some instances this definition is widened to include anybody who can reasonably be said to rely on the employee for assistance.

In view of the emergency nature of the circumstances in which this time off is likely to be required, a notice period is not appropriate. However, the employee must tell his or her manager the reason for the absence, preferably in advance but in any case as soon as is reasonably practicable, and how long he or she expects to be absent. The employee must confirm this in writing where required, in accordance with normal practice regarding absence from work for any reason.

Further information and guidance on Time Off for Dependants is available from Human Resources (HR) offices. This information can also be found in the Family Leave handbooks (employees' and HR/employing managers' versions) and on the HR Policy and Reward Intranet site.

8. ILLNESS OR DEATH OF A NEAR RELATIVE

As an alternative to time off for dependants, a statutory right for employees who qualify (see above), employees having to deal with the illness or death of a near relative may apply for the discretionary benefit of special leave with pay to cover the situation. Managers may grant up to 3 day's leave with pay.

9. FUNERAL LEAVE

Employees may apply for leave to attend the funeral of a near relative. This is normally for one day but may be extended up to one contractual week according to the circumstances, such as distance to travel, responsibility for making funeral arrangements and/or administration of the estate. Further details are available from local HR offices.

10. MOVING HOUSE

An application for leave for the purpose of moving both furniture and personal effects consequent upon a change of personal address may be submitted in advance to the employing manager. One day's leave with pay on a day which is, where possible, convenient to both management and employee, may be granted at the employing manager's discretion.

Leave for this purpose will not normally be granted more frequently than once in four years.

11. DOMESTIC LEAVE

An employee may apply for domestic leave in circumstances not covered by any of the above categories where undue hardship would otherwise occur. Such an application should be submitted in advance where possible to the employing manager, who may grant leave with or without pay depending on the circumstances. However, annual leave should be taken in the first instance where possible.

12. REPORTING REQUIREMENTS

In order to meet the requirements of the Work-Life Balance standard, managers should ensure that where employees make use of the provisions of these guidelines, reporting arrangements are correctly complied with. This includes HRS, absence returns and so on.

13. SUPPORTING DOCUMENTS

These guidelines are supported by:

- Employees' Maternity Information Handbook
- Employing /HR Managers' Maternity Information Handbook
- Employees' Family Leave handbook
- Employing/HR Managers' Family Leave Handbook
- Guidelines on Parental Leave and Time off for Dependants

These guidelines are effective from 10th September 2003 (The guidelines dated 16.06.03 are hereby superseded).