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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

**The Shared Parental Leave Regulations 2014**

**PART 2**

**ENTITLEMENT TO SHARED PARENTAL LEAVE (BIRTH)**

**CHAPTER 2**

Entitlement to particular periods of leave

**Discontinuous periods of shared parental leave (birth)**

**14.**—(1) This regulation applies where an employee gives a notice under regulation 12 which requests discontinuous periods of shared parental leave.

(2) In the two weeks beginning with the date the notice was given the employer who received the notice may—

- (a) consent to the periods of leave requested;
- (b) propose alternative dates for the periods of leave; or
- (c) refuse the periods of leave requested without proposing alternative dates.

(3) Where in the two weeks beginning with the date the notice was given the employer—

- (a) agrees to the periods of leave requested in that notice, or
- (b) agrees with the employee alternative dates for the periods of leave,

the employee is entitled to take the leave on the dates agreed.

(4) Where in the two weeks beginning with the date the notice was given no agreement has been reached, the employee is entitled to take the total amount of leave requested in the notice as a continuous period of leave.

(5) Where the employee is entitled to take a continuous period of leave under paragraph (4)—

- (a) the employee must choose a start date for that leave which is a date after the period of eight weeks beginning with the date on which the period of leave notice was given and must notify the employer of that date within 5 days of the end of the two week period referred to in paragraph (4); or
- (b) if the employee does not choose a start date under sub-paragraph (a), that leave must start on the start date of the first period of leave requested in the period of leave notice.

(6) An employee may withdraw a notice which requests discontinuous periods of shared parental leave on or before the 15th day after the notice was given unless the employee and employer have agreed to periods of leave.