



Employment Rights Act 1996

1996 CHAPTER 18

[^{F1}PART VIII]

[^{F1}CHAPTER 4

PARENTAL BEREAVEMENT LEAVE

[^{F1}80EB Rights during and after bereavement leave

- (1) Regulations under section 80EA must provide—
 - (a) that an employee who is absent on leave under that section is entitled, for such purposes and to such extent as the regulations may prescribe, to the benefit of the terms and conditions of employment which would have applied but for the absence,
 - (b) that an employee who is absent on leave under that section is bound, for such purposes and to such extent as the regulations may prescribe, by obligations arising under those terms and conditions (except in so far as they are inconsistent with subsection (1) of that section), and
 - (c) that an employee who is absent on leave under that section is entitled to return from leave to a job of a kind prescribed by regulations, subject to section 80EC(1).
- (2) The reference in subsection (1)(c) to absence on leave under section 80EA includes, where appropriate, a reference to a continuous period of absence attributable partly to leave under that section and partly to any one or more of the following—
 - (a) maternity leave,
 - (b) paternity leave,
 - (c) adoption leave,
 - (d) shared parental leave, and
 - (e) parental leave.
- (3) In subsection (1)(a), “terms and conditions of employment”—

Status: Point in time view as at 01/04/2023.

Changes to legislation: Employment Rights Act 1996, Section 80EB is up to date with all changes known to be in force on or before 17 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) includes matters connected with an employee's employment whether or not they arise under the contract of employment, but
 - (b) does not include terms and conditions about remuneration.
- (4) Regulations under section 80EA may specify matters which are, or are not, to be treated as remuneration for the purposes of this section.
- (5) Regulations under section 80EA may make provision, in relation to the right to return mentioned in subsection (1)(c), about—
- (a) seniority, pension rights and similar rights;
 - (b) terms and conditions of employment on return.]

Textual Amendments

- F1** Pt. 8 Ch. 4 inserted (18.1.2020) by [Parental Bereavement \(Leave and Pay\) Act 2018 \(c. 24\)](#), s. 2(2), [Sch. para. 2](#); S.I. 2020/45, reg. 2

Status:

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