

STATUTORY INSTRUMENTS

1999 No. 3312

The Maternity and Parental Leave etc. Regulations 1999

PART IV

PROVISIONS APPLICABLE IN RELATION TO MORE THAN ONE KIND OF ABSENCE

[^{F1}Right to return after maternity or parental leave

18.—(1) An employee who returns to work after a period of ordinary maternity leave, or a period of parental leave of four weeks or less, which was—

(a) an isolated period of leave, or

[^{F2}(b) the last of two or more consecutive periods of statutory leave which did not include—

(i) any period of parental leave of more than four weeks; or

(ii) any period of statutory leave which when added to any other period of statutory leave (excluding parental leave) taken in relation to the same child means that the total amount of statutory leave taken in relation to that child totals more than 26 weeks,]

is entitled to return to the job in which she was employed before her absence.

(2) An employee who returns to work after—

(a) a period of additional maternity leave, or a period of parental leave of more than four weeks, whether or not preceded by another period of statutory leave, or

(b) a period of ordinary maternity leave, or a period of parental leave of four weeks or less, not falling within the description in paragraph (1)(a) or (b) above,

is entitled to return from leave to the job in which she was employed before her absence or, if it is not reasonably practicable for the employer to permit her to return to that job, to another job which is both suitable for her and appropriate for her to do in the circumstances.

(3) The reference in paragraphs (1) and (2) to the job in which an employee was employed before her absence is a reference to the job in which she was employed—

(a) if her return is from an isolated period of statutory leave, immediately before that period began;

(b) if her return is from consecutive periods of statutory leave, immediately before the first such period.

(4) This regulation does not apply where regulation 10 applies.]

Textual Amendments

F1 Regs. 18, 18A substituted for reg. 18 (24.11.2002 with effect in accordance with reg. 2 of the amending S.I.) by [The Maternity and Parental Leave \(Amendment\) Regulations 2002 \(S.I. 2002/2789\)](#), regs. 1(1), 12

Changes to legislation: *There are currently no known outstanding effects for the The Maternity and Parental Leave etc. Regulations 1999, Section 18. (See end of Document for details)*

F2 Reg. 18(1)(b) substituted (1.12.2014) by [The Maternity and Parental Leave etc. \(Amendment\) Regulations 2014 \(S.I. 2014/3221\)](#), regs. 1(2), **5**

Changes to legislation:

There are currently no known outstanding effects for the The Maternity and Parental Leave etc. Regulations 1999, Section 18.