



GUIDANCE ON LEAVE FOR EMPLOYEES

Annual Leave

Sick Leave

Maternity Leave

Parental Leave

Adoption Leave

Stillborn/Deceased Children

Annual Leave

You are entitled to a minimum of 5 days paid leave a year, although your employer may allow longer.

If you have worked for less than 12 months for the employer then the amount of paid leave is apportioned over the amount of time that you have worked.

If you leave your employment when you have not taken all of your paid leave your employer will compensate you for the days you have not taken

Your employer may allow you unpaid in addition to paid leave, for example for trips abroad.

For guidance on applications for unpaid leave see the Code of Practice for Employers on Requests for Unpaid Leave or Part Time Work on the [Labour Regulating Authority website](#).

Sick Leave

Your employer is required to pay you for 5 days sick leave a year. Whether this is self-certified or not will depend on your contract of employment

If you have worked for less than 12 months for the employer then the amount of paid sick leave is apportioned over the amount of time that you have worked.

Your employer may allow you more paid sick leave but that will be stated in your contract of employment

After having taken your paid sick leave your employer is not required to pay you for any further sick leave.

Maternity Leave

Female employees are entitled to 14 weeks maternity leave which can be taken at any time starting in the 3 months before the due date of the baby

At least 28 days before taking the maternity leave you must notify your employer:

- i. that you are pregnant and the due date
- ii. the date on which you expect to commence your maternity leave

If you have been employed with your employer for at least 26 weeks before you start the maternity leave or the child is born then you are entitled to be on full pay for at least 4 weeks of your maternity leave

If your contract of employment allows for more than 4 weeks then you are entitled to what is in the contract

You may ask for additional maternity leave, or that you be allowed to return to work part time, so long as you make this request 28 days or more before you are due to return to work. This may or may not be granted but your employer should follow the Code of Practice for Employers on Requests for Unpaid Leave or Part Time Work on the [Labour Regulating Authority website](#).

Parental Leave

The father of the child, or a spouse or life partner of the mother who is not the father but who will be mainly responsible (with the mother) for bringing up the child, is entitled to parental leave.

Parental leave lasts 2 weeks and must be taken between the 3 months before the due date and one year after the date of the child's birth

If you have been employed for at least 26 weeks with your employer before you take the parental leave then the 2 weeks must be on full pay. This may be longer if your contract of employment allows it.

At least 28 days before you intend to take your paternity leave, or as soon as reasonably possible, you must tell your employer when you intend to take your parental leave

When might 'as soon as reasonably possible' apply? For example, if the baby was born earlier than expected and you intended to be at home for the first 2 weeks of the child's life then 'as soon as reasonably possible' would be much less than 28 days

At least 10 days before your return to work from parental leave you may ask your employer for additional leave or to return to work on a part time basis

For guidance on applications for part time work or unpaid leave see the Code of Practice for Employers on Requests for Unpaid Leave or Part Time Work on the [Labour Regulating Authority website](#).

Adoption Leave

If you adopt a child then you are entitled to 2 weeks adoption leave.

This leave also applies to the life partner or spouse of the person adopting the child.

The leave must be taken at any time between 3 months before the date you are notified of the date that the child is expected, or will be, placed with you and one year after the child is placed with you.

At least 28 days before you intend to take your adoption leave, or as soon as reasonably possible, you must tell your employer when you intend to take your adoption leave.

When might 'as soon as reasonably possible' apply? For example if the child is placed with you earlier than expected and you intended to be at home for the first 2 weeks the child is with you then 'as soon as reasonably possible' would be much less than 28 days.

If you have been employed for at least 26 weeks with your employer before you take the adoption leave then the 2 weeks must be on full pay. This may be longer if your contract of employment allows it.

At least 10 days before your return to work from adoption leave you may ask your employer for additional leave or to return to work on a part time basis.

For guidance on applications for part time work or unpaid leave see the Code of Practice for Employers on Requests for Unpaid Leave or Part Time Work on the [Labour Regulating Authority website](#).

Stillborn/Deceased Children

The requirements to allow maternity, parental or adoption leave apply if a child dies or is stillborn after 24 weeks of pregnancy.