
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 93

The Shared Parental Leave Regulations (Northern Ireland) 2015

PART 5

TAKING SHARED PARENTAL LEAVE

Application of terms and conditions during shared parental leave

38.—(1) An employee who takes shared parental leave is, during any period of leave—

- (a) entitled to the benefit of all of the terms and conditions of employment which would have applied if the employee had not been absent; and
- (b) bound by any obligations arising under those terms and conditions, subject only to the exception in Article 107K(1)(b)(1) of the 1996 Order.

(2) In paragraph (1), “terms and conditions of employment” has the meaning given by Article 107K(2) of the 1996 Order, and accordingly does not include terms and conditions about remuneration.

(3) For the purposes of Article 107K of the 1996 Order, only sums payable to the employee by way of wages or salary are to be treated as remuneration.

(4) In the case of accrual of rights under an employment-related benefit scheme within the meaning given by paragraph 7 of Schedule 5 to the Social Security (Northern Ireland) Order 1989(2), nothing in paragraph (1)(a) imposes a requirement which exceeds the requirements of paragraph 5C(3) of that Schedule.

(1) Article 107K was inserted by 2015 c. 1 (N.I.), section 2.

(2) S.I. 1989/1342 (N.I. 13).

(3) Paragraph 5C was inserted by 2015 c. 1 (N.I.), Schedule 1, paragraph 1(4).