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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

**The Additional Paternity Leave Regulations 2010**

**PART 4**

**PROVISIONS APPLICABLE TO BOTH TYPES  
OF ADDITIONAL PATERNITY LEAVE**

**Right to return after additional paternity leave**

**31.**—(1) In a case where P returns to work after a period of additional paternity leave, lasting no longer than 26 weeks, which was—

- (a) an isolated period of leave, or
- (b) the last of two or more consecutive periods of statutory leave, which did not include any period of additional maternity leave or additional adoption leave or a period of parental leave of more than four weeks,

P is entitled to return from leave to the job in which P was employed before P's absence.

(2) In a case where P returns to work after a period of additional paternity leave not falling within the description in paragraph (1)(a) or (b) above, P is entitled to return from leave to the job in which P was employed before P's absence, or, if it is not reasonably practicable for E to permit P to return to that job, to another job which is both suitable for P and appropriate for P to do in the circumstances.

(3) The reference in paragraphs (1) and (2) to the job in which P was employed before P's absence is a reference to the job in which P was employed—

- (a) if P's return is from an isolated period of additional paternity leave, immediately before that period began,
  - (b) if P's return is from consecutive periods of statutory leave, immediately before the first such period.
- (4) This regulation does not apply where regulation 28 applies.