
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Shared Parental Leave Regulations 2014

PART 4

**CONDITIONS OF ENTITLEMENT RELATING
TO EMPLOYMENT AND EARNINGS**

Continuity of employment test

35.—(1) For the purposes of entitlement to shared parental leave (see regulations 4, 5, 20 and 21), an employee satisfies the continuity of employment test if the employee—

- (a) has been continuously employed with an employer for a period of not less than 26 weeks ending with the relevant week (see paragraph (3)); and
- (b) remains in continuous employment with that employer until the week before any period of shared parental leave taken by the employee.

(2) Where Part 2 applies and C is born earlier than the relevant week and an employee would have satisfied the condition in sub-paragraph (a) of paragraph (1) if the employee's employment had continued until the end of the week immediately preceding that week, the employee must be treated as having satisfied that condition.

(3) In this regulation—

“relevant week” means—

- (a) where Part 2 applies, the week immediately preceding the 14th week before the expected week of birth;
- (b) where Part 3 applies, the week in which A was notified of having been matched for adoption with C.