
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Shared Parental Leave Regulations 2014

PART 5

TAKING SHARED PARENTAL LEAVE

Redundancy during shared parental leave

39.—(1) This regulation applies where, during a period in which an employee is taking shared parental leave, it is not practicable by reason of redundancy for an employer to continue to employ that employee under the existing contract of employment.

(2) Where there is a suitable alternative vacancy, the employee is entitled to be offered (before the end of the employee's employment under the contract of employment) alternative employment with the employer, the employer's successor, or an associated employer, under a new contract of employment which complies with paragraph (3) and takes effect immediately on the ending of the employee's employment under the previous contract.

(3) The new contract of employment must be such that—

- (a) the work to be done under it is of a kind which is both suitable in relation to the employee and appropriate for the employee to do in the circumstances, and
- (b) its provisions as to the capacity and place in which the employee is to be employed, and as to the other terms and conditions of the employee's employment, are not substantially less favourable to the employee than if the employee had continued to be employed under the previous contract.