

Usdaw

Campaigning
For Equality

Parents and Carers
Usdaw – Working to
Improve Maternity
and Paternity Rights



An advice leaflet
for Usdaw Members



Over the years Usdaw has worked with employers to improve maternity, paternity and adoption leave and pay for new parents.

Maternity

Statutory Maternity Leave is 52 weeks and is a day one right.

Statutory Maternity Pay (SMP) is 39 weeks. The first six weeks are paid at 90% of your average weekly earnings, followed by the remaining 33 weeks at the current rate of SMP which is currently £151.20[†]. (If you earn less than £151.20[†] per week, the full 39 weeks will be paid at 90% of your average weekly earnings).

To qualify for SMP you must have average earnings above the lower earnings limit and have 26 weeks' continuous service with your employer by the end of the 15th week before the week in which your baby is due.*

What Usdaw Companies Offer...

- **Tesco (including Tesco Distribution):** 14 weeks full pay followed by 14 weeks half pay (or SMP – whichever is higher) and the remaining 11 weeks at flat rate SMP. Qualifying employees need one years' service with Tesco at the end of the 15th week before EWC.
- **Morrisons:** 12 weeks full pay followed by 50% of pay for weeks 13 to 27 (or the flat rate of SMP, whichever is the higher). Upon returning to work for 13 weeks, a lump sum equivalent to 50% of pay for weeks 13 to 27.
- **Co-op:** 12 weeks full pay followed by flat rate of SMP, eligibility is the same as for SMP.

- **Sainsbury's:** 14 weeks at 90% average weekly earnings, the remaining 25 weeks at SMP. To be eligible staff need one years' service at the end of the 15th week before the EWC.
- **Alliance Healthcare:** 13 weeks at 100% of average weekly earnings (AWE), followed by 26 weeks at two-thirds average weekly earnings or flat rate of SMP whichever is higher. If you leave within 12 months of returning to work there is a claw back of the additional company maternity pay. Qualifying employees need at least two years' continuous service by the week in which the baby is due.
- **McVities (Manchester and Harlesden):** 14 weeks at full pay followed by flat rate SMP.

* If you do not qualify for SMP or Company Maternity Pay because your earnings are not high enough, or you have not worked for your employer long enough, you may be able to claim Maternity Allowance. This is paid at the same rate as SMP and to make a claim you would need to contact your local Job Centre.

Check your company policy for full details on maternity, paternity and adoption leave and pay for new parents.



Paternity

Statutory Paternity Leave and Pay is available to fathers and partners who have 26 weeks' service by the end of the 15th week before the week in which the baby is due. Leave is for a maximum of two consecutive weeks and it must be taken with 56 days of the baby's birth. Statutory Paternity Pay (SPP) is paid at £151.20 or 90% of your average weekly earnings, whichever is lower. Employees must have average earnings above the lower earnings limit to qualify.

What Usdaw Companies Offer...

- **Tesco (including Tesco Distribution):** Four weeks leave paid at contractual rate or average earnings in the two pay periods before the 15th week (whichever is greater).
- **Morrisons:** Four weeks paternity leave, two weeks paid at full contractual pay (to be taken within 56 days) and two additional weeks at 50% pay (to be taken within 26 weeks). For multiple births the full four weeks is paid at contractual rate.
- **Co-op:** Two weeks leave paid at full pay.
- **Sainsbury's:** Two weeks' leave paid at full pay.
- **Alliance Healthcare:** Four weeks leave paid at average earnings.
- **McVities (Manchester and Harlesden):** Three weeks at 100% pay.

Eligibility for all the above is the same as for SPP which is six weeks continuous service by the 15th week before your baby's expected due date.

Adoption

Statutory Adoption Leave of 52 weeks is available for employees who are adopting a child or having a child through a surrogacy arrangement. This is a day one right for all employees.

Statutory Adoption Pay (SAP) is available for 39 weeks. As for SMP, the first six weeks are paid at 90% of your average weekly earnings, followed by the remaining 33 weeks at the current rate of SMP, which is £151.20. (If you earn less than £151.20 per week the full 39 weeks will be paid at 90% of your average weekly earnings).

To qualify for SAP you must have earnings above the lower earnings limit and have 26 weeks' continuous service with your employer up to any day in the week you were matched with a child. For those in surrogacy arrangements this is 26 weeks' service by the end of the 15th week before the baby is due.

Partners of adoptive parents are entitled to Statutory Paternity Leave and Pay provided they meet the eligibility criteria (as above).

Rights to company pay and leave for adoptive parents generally follow the same entitlements as for Maternity (primary care giver) and Paternity (partner of primary care giver). Check your company policy for full details.

Usdaw Contacts

To find out more about Usdaw's equality work, the Equalities Forums in your area or about joining Usdaw, contact:

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