# comprehensive Parental leave policy (encompassing maternity, adoption, and commissioning parental leave)

## Preamble

This policy regulates the matters set out above and seeks to ensure that there is no unfair discrimination. These benefits will apply equally in context, within the parameters contained herein, to –

* Single parents or a pair of parents
* Mothers and fathers
* Partners
* Children born of the mother or conceived by surrogacy or who are legally adopted.

Each event of comprehensive parental leave attract up to four consecutive months’ leave, which is funded via the Unemployment Insurance Fund (UIF). This requires the employer and employee parties to plan effectively to ensure that both parties needs are met. The specific details set out below in context apply.

In each event, a single parent, or a pair of parents, are collectively entitled to at least 4 months unpaid (funded by UIF) consecutive parental leave. In the case where there are a pair of parents, the said leave can be taken in accordance with their election where either one parent can take the whole period, or each parent can take turns at taking the leave. The respective employers of the parents must be notified in writing prior to the event of their election (refer below), as well as the specific periods to be taken by each parent.

## Parental leave, incorporating maternity leave

This leave comprises up to four months consecutive unpaid leave (funded in terms of UIF) that can be taken consecutively when an employee’s child is born or in the case of adoption, the date that the adoption order is granted or when a child is placed in the care of a prospective adoptive parent by a competent court pending finalisation of an adoption order in respect of that child.

Where the employee is child-bearing, the provisions of the BCEA apply insofar as the said employee may not work 4 weeks before not return 6 weeks after the birth of the child, without a medical practitioner’s written approval.

## Adoption leave

An employee who is an adoptive parent of a child who is below the age of two may benefit from unpaid (funded in terms of UIF) adoption leave of up to four months consecutively. This leave may commence on the date that the adoption order is granted or when a child is placed in the care of a prospective adoptive parent by a competent court pending finalisation of an adoption order in respect of that child.

## Commissioning parental leave

An employee who is a commissioning parent in a surrogate motherhood agreement is entitled to unpaid (funded in terms of UIF) commissioning parental leave of four months consecutively. The employee may commence this leave on the date a child is born because of a surrogate motherhood agreement.

## Notifications

As a general rule, the employee must notify the employer in writing of the date (at least one month prior to the date of the event or as soon as is reasonably practicable) on which the employee intends to commence the particular leave and return to work after the said leave.