RSUA Maternity, Paternity and Adoptive Parents Policy

The Royal Society of Ulster Architects (RSUA) Maternity, Paternity and Adoptive Parents Policy has been prepared to ensure that all expectant and new parents are given support before, during and after any period of maternity, paternity or adoption leave.

Enhancements to statutory provisions are highlighted in red throughout the Policy document. The suggested provisions for Contractual Maternity, Paternity and Adoption Pay and any qualifying timescales (highlighted in green throughout the document) are indicative of good practice but may be adjusted to suit the ability of a Practice to meet such provisions. Practices are encouraged to make provisions which are proportionate and achievable.

DISCLAIMER: The policy is to be used as a guide. RSUA does not accept liability for any errors or omissions

1. What is the intention of this Policy?

This policy has primarily been created as an aid for architects' practices who may not have a policy in place or for those who would like to update/enhance their current provision. This policy will be adopted by RSUA for RSUA staff.

2. What enhancements to statutory provisions are recommended by the policy?

The enhancements to statutory provisions are based on primary research and are therefore considered to be indicative of good practice. Additional eligibility requirements and claw back mechanisms are included to avoid onerous employer obligations.

Time Off Before Taking Adoption Leave (Overseas Adoptions)

Statutory Allowance

There is none.

RSUA Policy Allowance

Additional unpaid time off before taking adoption leave for overseas adoptions may be negotiated at the employer's discretion.

Maternity Pay

Statutory Maternity Pay

If the employee is eligible for SMP, they are entitled to:

- the first 6 weeks: at 90% of the employee's average weekly earnings.[1]
- the remaining 33 weeks: at the *lesser* of (a) the Government's set SMP rate for the relevant year, or (b) 90% of the employee's average weekly earnings.

[1] The calculation period for this purpose is the 8 weeks up to and including the 15th week before the expected week of childbirth (ie. between weeks 18 and 25 of an expected 40 week pregnancy).

RSUA Policy Contractual Maternity Pay

If the employee has *one year's continuous service at the end of the 15th week before the expected week of childbirth* (ie. before the 25th week of an expected 40 week pregnancy), they will be eligible for Contractual Maternity Pay ("CMP").

Contractual Maternity Pay is equivalent to:

- *the first 8 weeks: 100% of the employee's basic salary* (inclusive of the employee's SMP entitlement)
- *the following 8 weeks: 50% of the employee's basic salary* (inclusive of the employee's SMP entitlement)
- *the remaining 23 weeks: Statutory Maternity Pay*

Adoption Pay

Statutory Adoption Pay

If the employee is eligible for SAP, they are entitled to:

- the first 6 weeks: at 90% of the employee's average weekly earnings.[2]
- the remaining 33 weeks: at the *lesser* of (a) the Government's set SAP rate for the relevant year, or (b) 90% of the employee's average weekly earnings.

RSUA Policy Contractual Adoption Pay

If the employee has *one year's continuous service at the end of the 15th week before the expected date of placement,* they will be eligible for Contractual Adoption Pay ("CAP").

Contractual Adoption Pay is equivalent to:

- *the first 8 weeks: 100% of the employee's basic salary* (inclusive of the employee's SAP entitlement)
- *the following 8 weeks: 50% of the employee's basic salary* (inclusive of the employee's SAP entitlement)
- *the remaining 23 weeks: Statutory Adoption Pay*

Paternity Pay

Statutory Paternity Pay

If the employee is eligible for SPP, they are entitled to:

- the *lesser* of (a) the Government's set SPP rate for the relevant year, or (b) 90% of the employee's average weekly earnings for the duration of the Statutory Paternity Leave period.

RSUA Policy Contractual Paternity Pay

[2] The calculation period for this purpose is the 8 weeks by the end of the 15th week up to and including the week you were notified of having been matched with child.

If an employee has *one year's continuous service at the end of the 15th week before the expected week of childbirth* (ie. before the 25th week of an expected 40 week pregnancy), they will be eligible for Contractual Paternity Pay.

Contractual Paternity Pay is equivalent to:

- *100% of the employee's basic salary for the entire period of Statutory Paternity Leave (1-2 weeks).*

Clawback and Repayment Provisions

Statutory Clawback Provision

There is none.

RSUA Policy Clawback Provision

A condition of the Contractual Maternity/ Adoption/ Paternity Pay offered under this policy is that the employee must return to work after their leave has ended for a minimum period of *3 months*.

Where an employee fails to return to work for this minimum period because *they resign or their employment is terminated for any reason other than redundancy*, the employer is entitled to recover any Contractual Maternity/ Adoption/ Paternity Pay paid to the employee that is in excess of statutory provisions. *This clawback will be operated at the discretion of the Company.*