

Statutory Document No. 77/07

THE EMPLOYMENT ACT 2006

THE ADOPTION LEAVE REGULATIONS 2007

Approved by Tynwald Coming into operation

21st March 2007 1st April 2007

In exercise of the powers conferred on the Department of Trade and Industry by sections 65, 91, 92, 93, 94, 95, 96, 97, 98 and 175(1) of the Employment Act 2006¹,

PART 1

PRELIMINARY

1. Citation and commencement

These Regulations may be cited as the Adoption Leave Regulations 2007 and,

"ordinary adoption leave" means leave under section 95 of the Act;

	"parental leave" means leave under section 84 or 85 of the Act;
	"partner", in relation to a child's adopter, means a person (whether of a different sex or the same sex) who lives with the adopter and the child in an enduring family relationship but is not a relative of the adopter of a kind
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		(3)	For the purposes of paragraph (2) —
		(a)	where an act extends over a period, the reference to the date of the act
		()	is a reference to the last day of that period, and
		(b)	a failure to act is to be treated as done when it was decided on.
		(3)	For the numbers of paragraph (2) in the change C

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₽- <u></u>	(a)	where the variation is to provide for the employee's period of leave to begin on the date on which the child is placed with him for adoption, at
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	(p)*	where the variation is to provide for the same to the

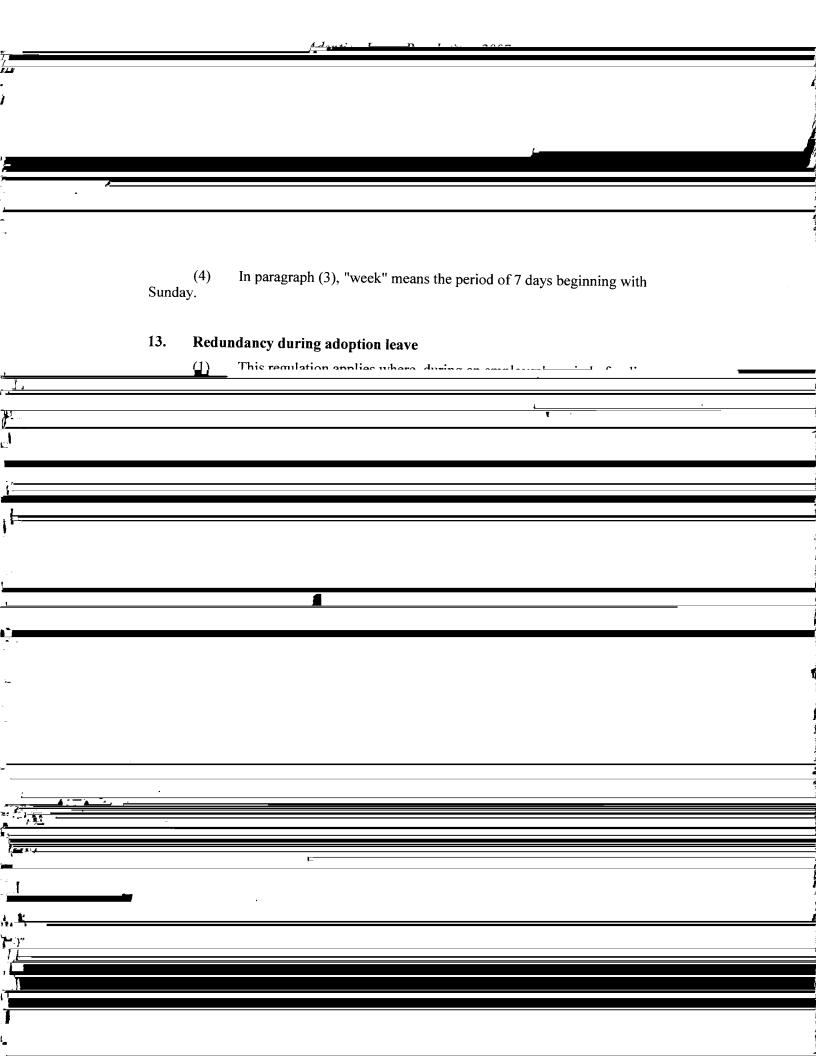
	is entitled, during the period of leave, to the benefit of all of the terms
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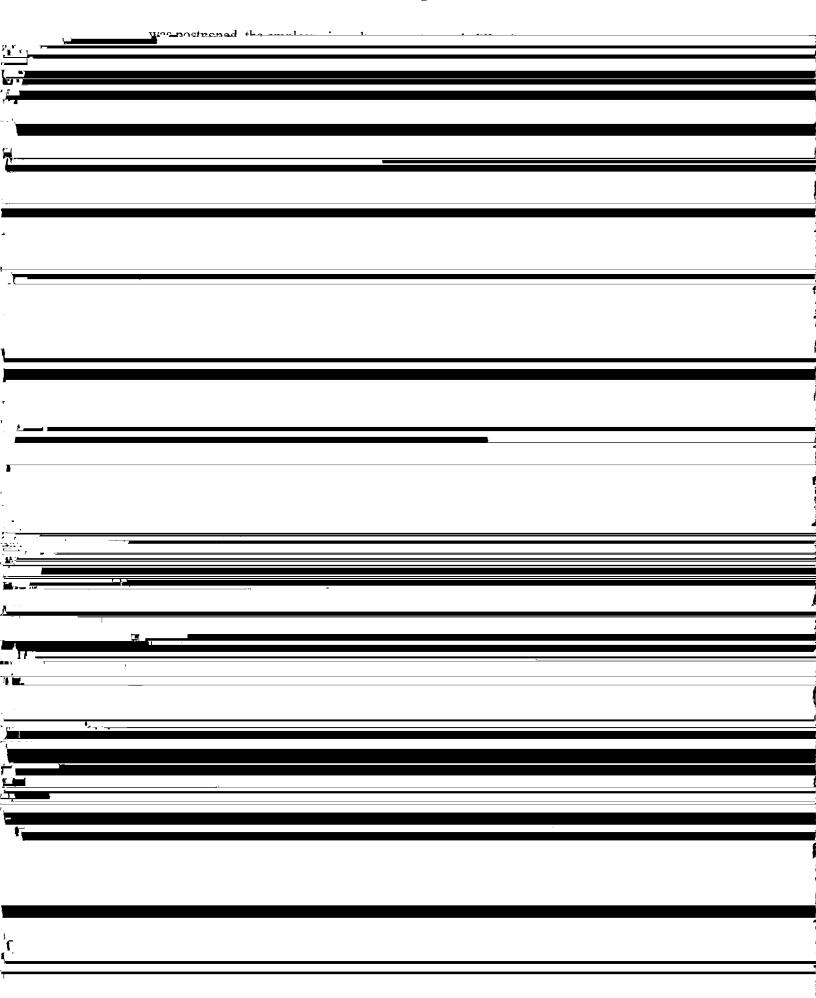
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	(iii) t	he acceptance of gifts or other b	penefits. or	
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Adoption leave: general

12. Disrupted placement in the course of adoption leave

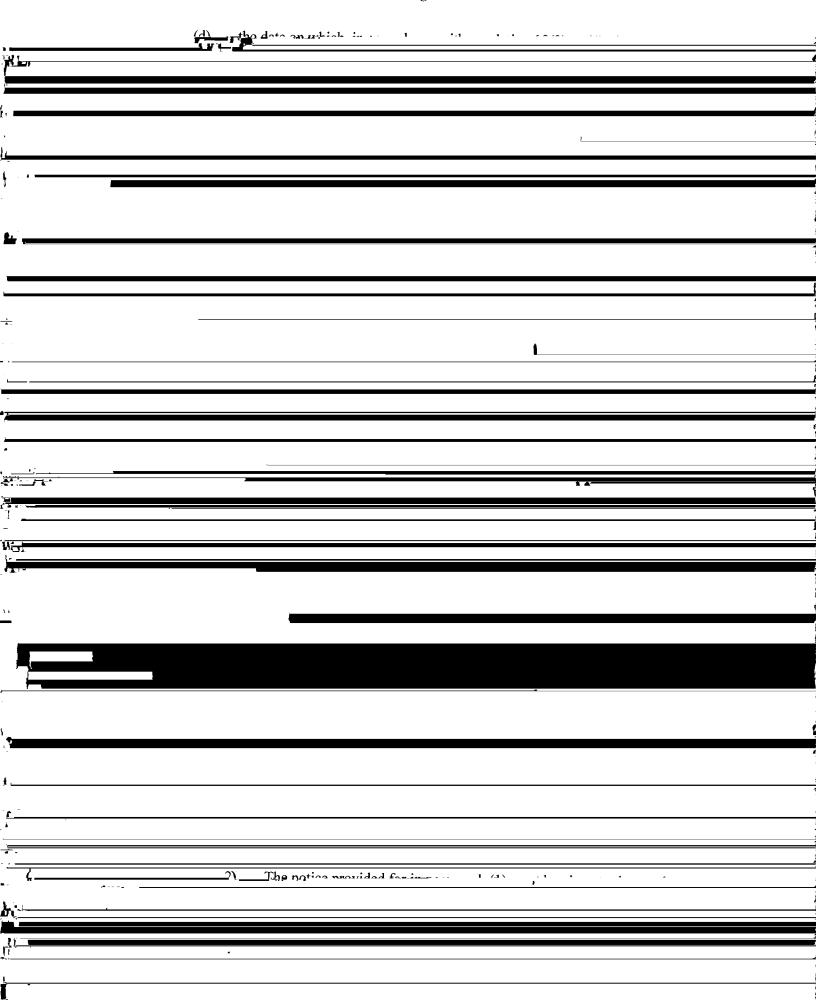
(1) This regulation applies where —





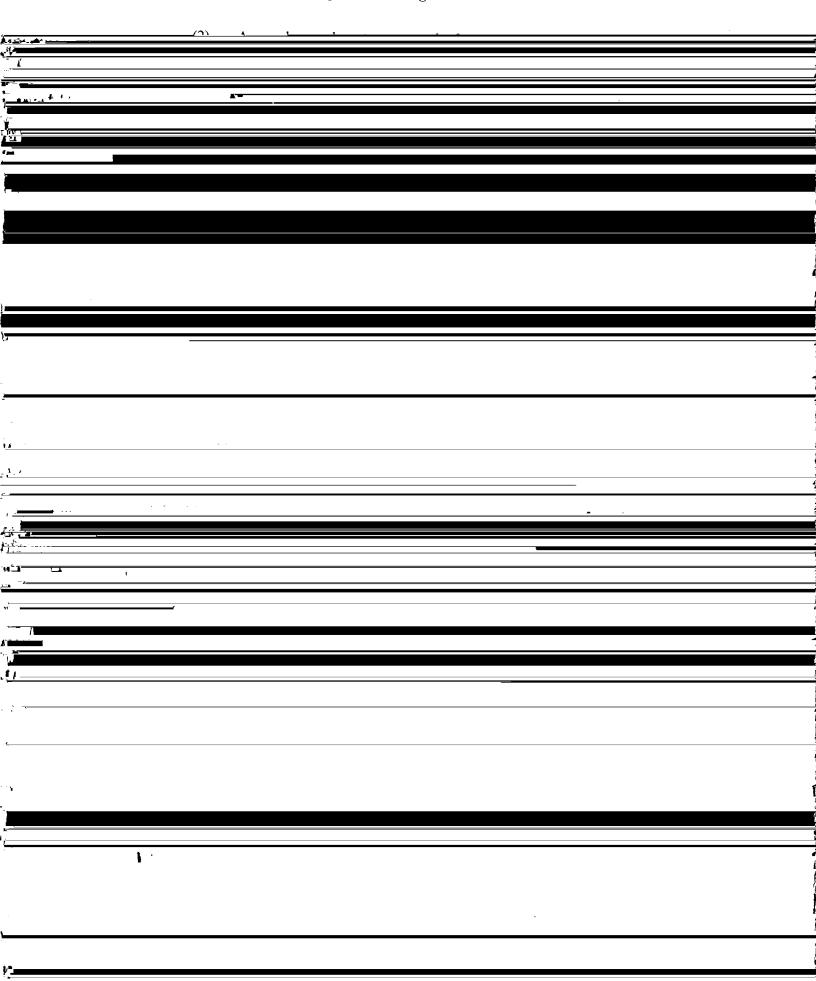
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	(a) wi	ith his seniority, pension rights and similar rights — in a case where the employee is returning from additional
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-		adoption leave, or consecutive periods of statutory leave which
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	re	as, or expects to have, the main responsibility (apart from the esponsibility of the adopter) for the upbringing of the child.
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·	(7) An employee must give his employer a further notice, as soon as is
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. <u>—</u>	placed. (8) Notice under paragraph (1), (4), (6) or (7) shall be given in writing, if the employer so requests.
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(1) Except in the case referred to in paragraph (2), an employee's period of paternity leave (adoption) begins on the date specified in his notice under regulation

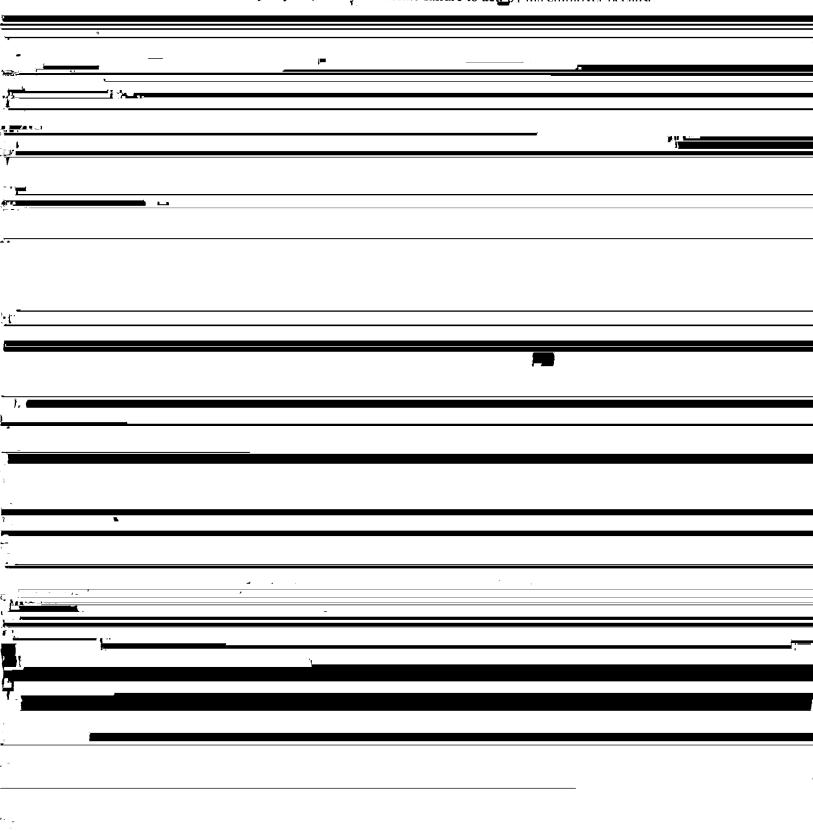


PART 4

GENERAL PROVISIONS

25. Protection from detriment

(1) An employee is entitled under section 65 of the Act not to be subjected to any detriment by any act, or any deliberate failure to act_by his employer because

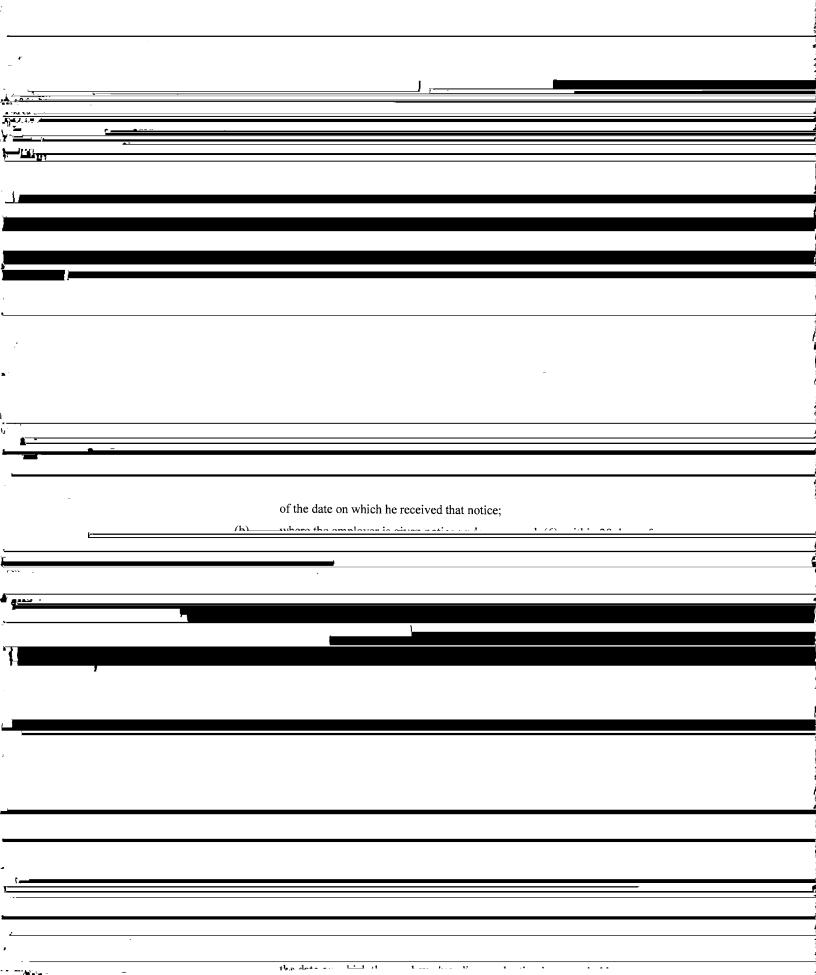


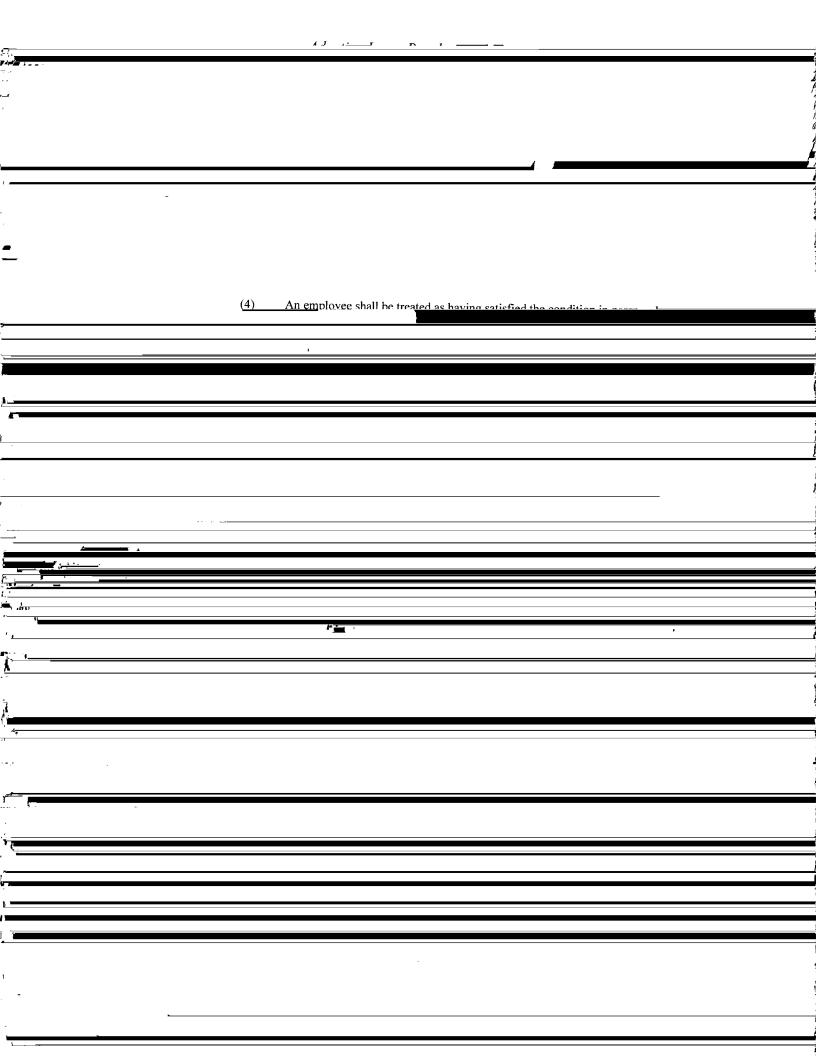
	(a)	the employee took, or sought to take, ordinary adoption leave,
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	(b)	the employer believed that the employee was likely to take ordinary
_	(a)_	adoption leave or additional adoption leave, or
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	Regulation 4.	
	SCHEDULE	
	MODIFICATIONS IN RESPECT OF OVERSEAS ADOPTIONS	
	Interpretation	
	1. (1) In regulation $2(1)$ —	
KK & z	(a) for the definition of "adopter", substitute—	
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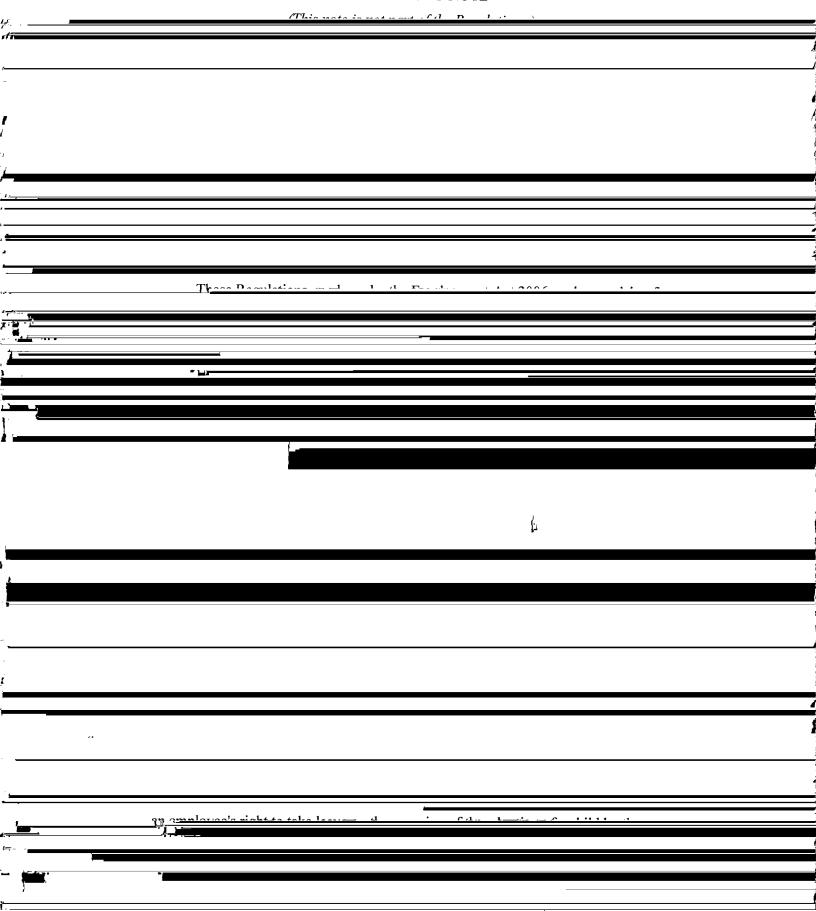
	(b) a predetermined date specified in a notice under regulation 7 which is no
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Septe may c specif	(2) In a case where the employee receives an official notification before 30 th mber 2007 and the adopter's child enters the Island on or after that date, the employee hoose to begin a period of ordinary adoption leave only on a predetermined date, fied in a notice under regulation 7 which is later that the date of
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		(8) Island, he shall no	where it becomes knot otify the employer of the	own to the employee that he fact as soon as is rea	at the child will not enter t sonably practicable."	he	
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EXPLANATORY NOTE





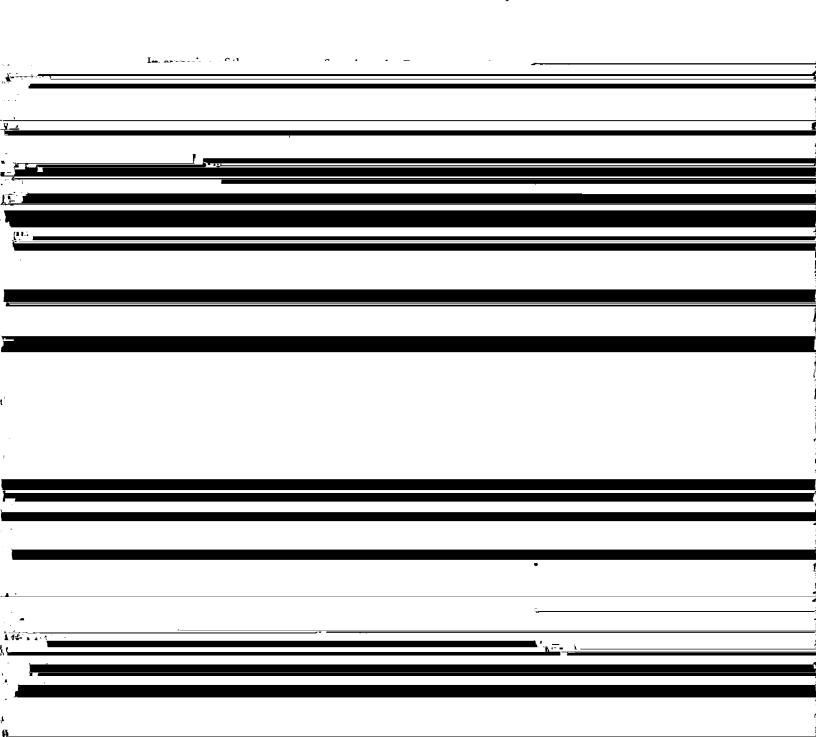
Statutory Document No.96/07

THE EMPLOYMENT ACT 2006

THE FLEXIBLE WORKING REGULATIONS 2007

Approved by Tynwald
Coming into operation

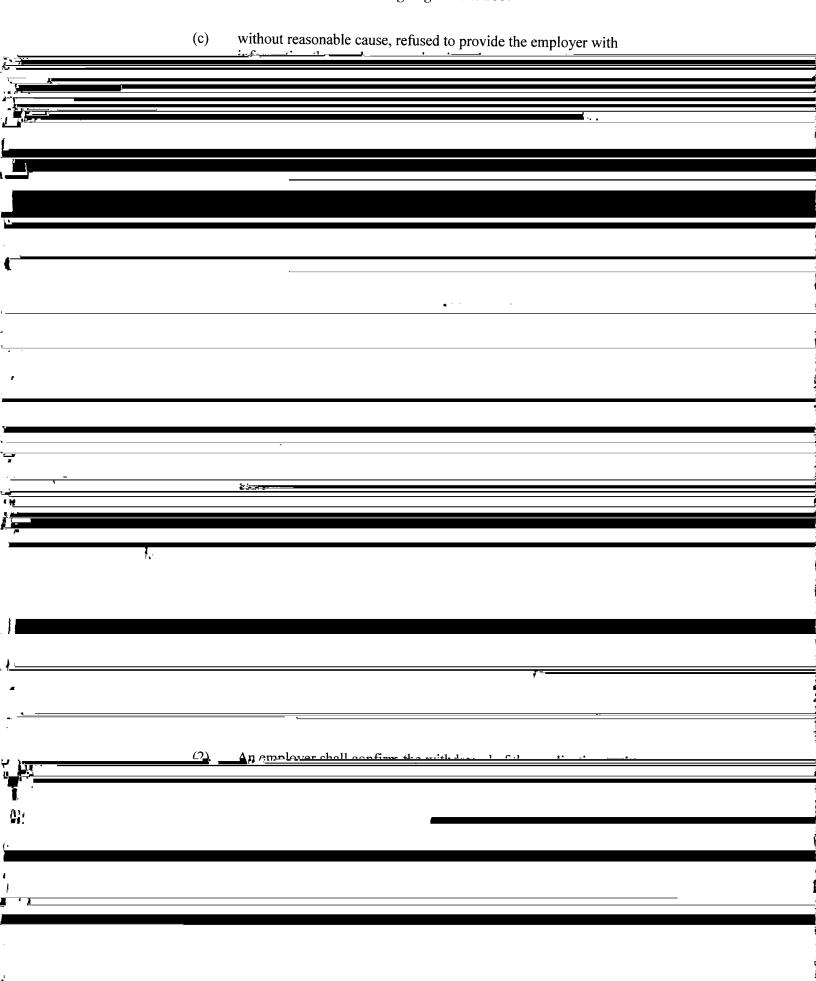
21st March 2007 30th September 2007



- (a) in relation to a notice transmitted by electronic communication, on the day on which it is transmitted,
- (b) in relation to a notice sent by post, the day on which the notice would be delivered in the ordinary course of post.

3. Duration of employment

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•	9. Right of appeal
	(1) An employee is entitled to appeal against his agai
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13.	Right to	be accompanied
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- (1) This regulation applies where —
- (a) a meeting is held under regulation 7(1) or 10(1), and
- (b) the employee reasonably requests to be accompanied at the meeting.
- (7) / Whare this regulation applies the application must marrie the application

to be accompanied at the meeting by a single companion who —

- (a) is chosen by the employee, and
- (b) a worker of the same employer as the employee.

(2) employer.	An agreement under paragraph (1) must be recorded in writing by the
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(a)	specify what period the extension relates to,
(b)	specify the date on which the extension is to end, and
(c)	be dated;
and the empl	loyer shall send a copy of it to the employee.
15. Brea	ches of regulations by employer entitling employee to make
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	preaches of regulations under section 100(1)(a) of the Act which entitle an
	make a complaint to the Tribunal under section 101 of the Act even

EXPLANATORY NOTE

(This note is not part of the Regulations.)

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Statutory Document No. 76/07

THE EMPLOYMENT ACT 2006

THE MATERNITY LEAVE REGULATIONS 2007

21st March 2007

1st April 2007

Approved by Tynwald

Coming into operation

In exercise of the powers conferred on the Department of Trade and Industry by sections 65, 79, 80, 81, 82, 83, 114, and 174 of the Employment Act 2006¹, and of all other enabling powers, the following Regulations are hereby made:—

Preliminary

1. Citation and commencement

These Regulations may be cited as the Maternity Leave Regulations 2007 and, subject to section 175(1) of the Act, shall come into operation on the 1st April 2007.

2.	Interpretation
	In these Regulations —
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Maternity Leave Regulations 2007

"parental leave" means leave under section 84 or 85 of the Act;

- (ii) a registered midwife,stating the expected week of childbirth.
- (2) An employee who has notified her employer under paragraph (1)(a)(iii) of the date on which she intends her ordinary maternity leave period to start

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	variation at least —

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28 days before the date varied, or

whichever is the earlier, or, if not reasonably practicable, as soon as it is reasonably

28 days before the new date,

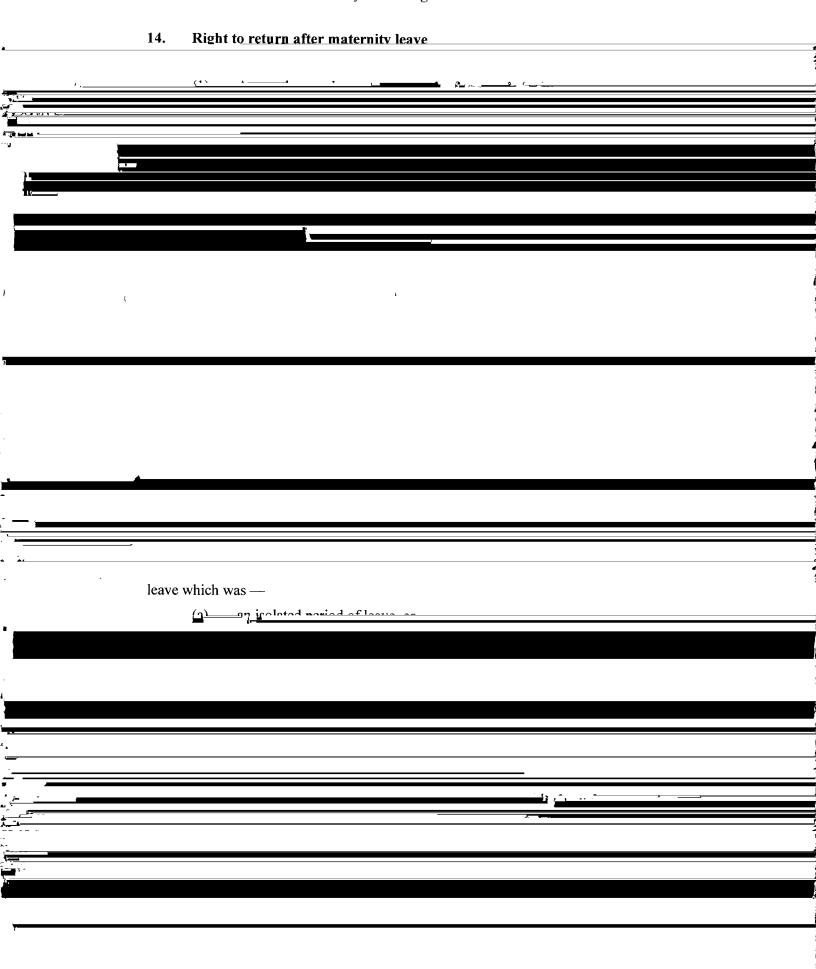
	(5) Where the employee is dismissed after the commencement of an Ordinary or additional maternity leave period but before the time when force for
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	(6) An employer who is notified under any provision of regulation 4 of the
i řime	date on which by virtue of any provision of regulation 4 of the

Maternity Leave Regulations 2007

		(i) notice of the termination of the employment contract by her employer;
	j	(ji) compensation in the event of redundance or .
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	(b)	is bound, during that period, by her implied obligation to her employer of pood faith and any terms and conditions of her amployees the lating
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		(i) notice of the termination of the employment contract by her;
		(ii) the disclosure of confidential information;
		(iii) the acceptance of gifts or other benefits, or

	14.	Cont	tractual rights to ma	ternity leave				
		(1)	This regulation app	olies where an emp	loyee is entitled t			
		(a)	ordinary maternity	leave: or				
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Maternity Leave Regulations 2007

	periods of additional maternity leave is subject to the requirements of paragraphs 5
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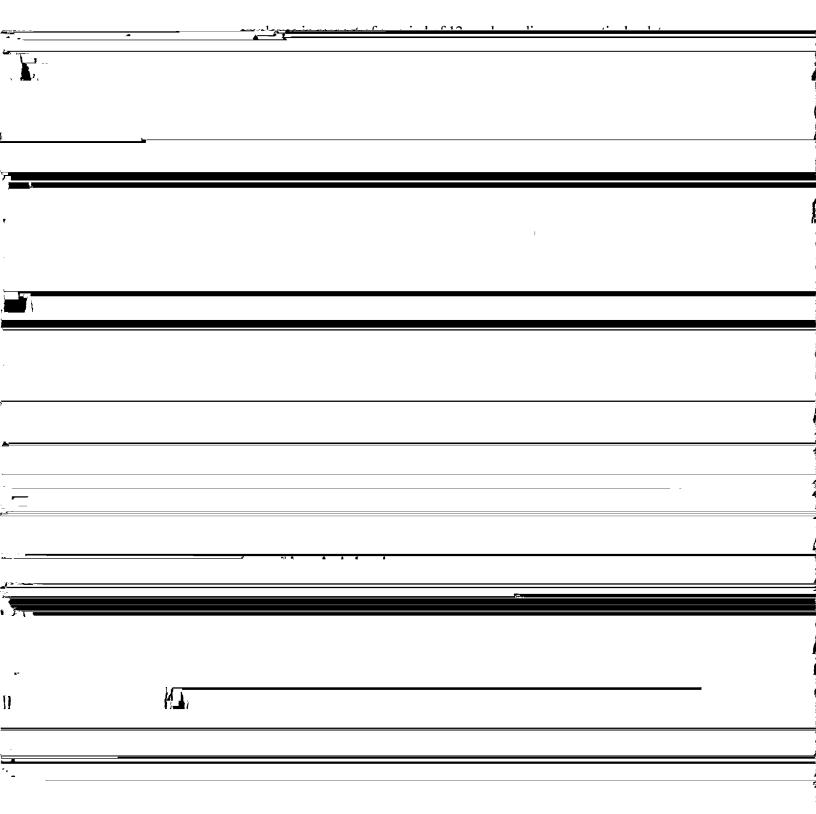


- (e) the fact that she took or sought to take additional maternity leave; or
- (f) the fact that she failed to return after a period of ordinary or additional maternity leave in a case where –

The employer did not notify have in accordance with recordance with record with record with record with recordance with record with re

question would end, and she reasonably believed that the period had not ended, or

the employer gave her less than 28 days' notice of the date on which the period in question would end, and it was not



- (b) during a week in that period, the employee was absent from work on ordinary or additional maternity leave or parental leave, and
- (c) remuneration is payable to the employee in respect of that week under her contract of employment, but the amount payable is less than the amount that would be payable if she were working,

that week shall be disregarded for the purpose of the calculation and account shall be taken of remuneration in earlier weeks so as to bring up to 12 the number of weeks of

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(This note is not part of the Regulations.)

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These Regulations, made under the Employment Act 2006, make provision for	
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Statutory Document No. 97/07

THE EMPLOYMENT ACT 2006

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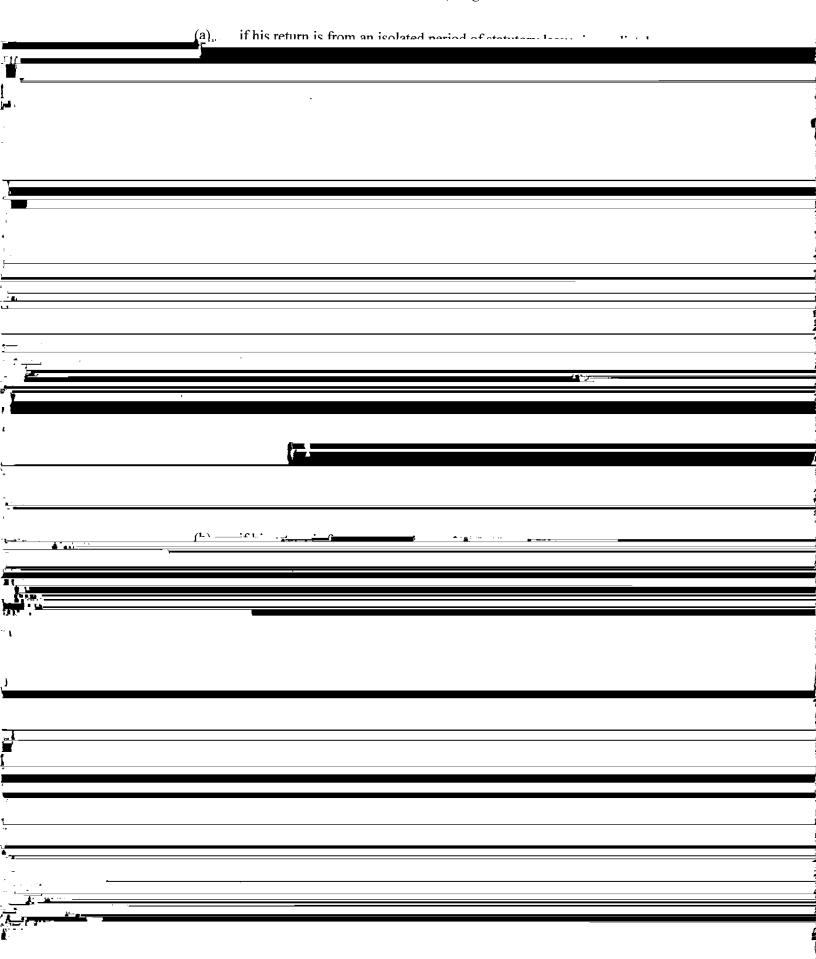
Parental Leave (Disabled Child) Regulations 2007

"parental leave" means leave under regulation 3(1); A reference in any provision of these Regulations to a period of continuous employment is to a period computed in accordance with School 15

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	(d)	the employer gives the employee notice in writing of the postponement which— (i) states the reason for it, and (ii) specifies the dates on which the period of leave the employer
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			Application of terms and conditions during parental leave
	9.	Appli	cation of terms and conditions during parental leave
			nployee who takes parental leave —
		(a)	is entitled, during the period of leave, to the benefit of his employer's
		()	implied obligation to him of trust and confidence and any terms and
			Conditions of his employment relating to
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			(i) notice of the termination of the employment contract by his
			employer;
			(ii) compensation in the event of redundancy, or
			(iii) disciplinary or grievance procedures;
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Parental Leave (Disabled Child) Regulations 2007

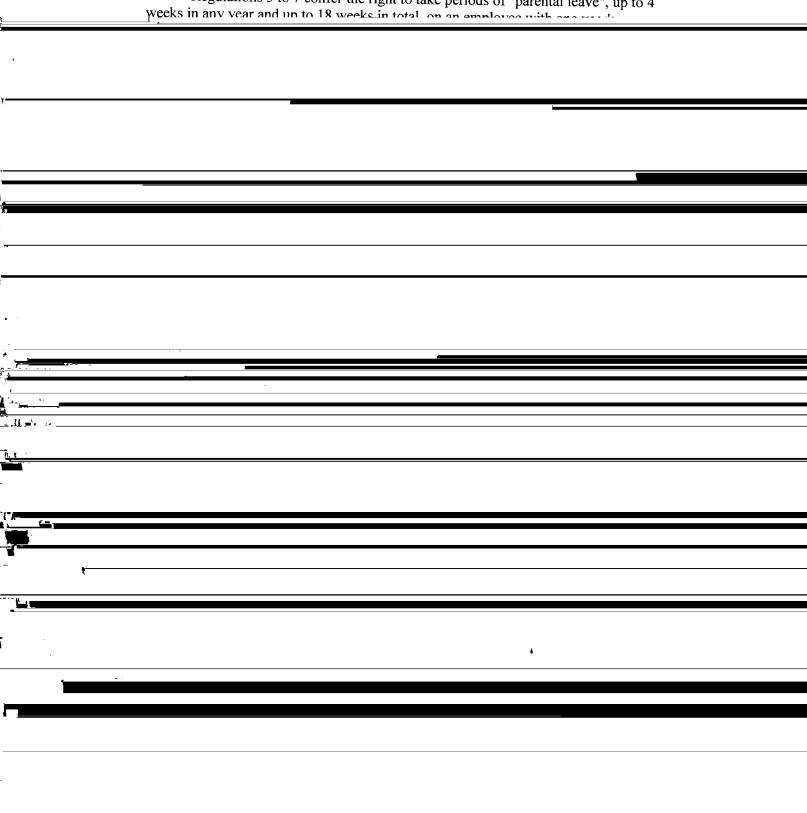




(This note is not part of the Regulations.)

These Regulations, made under the Employment Act 2006, make provision for an employee's right to take unpaid leave for the purpose of caring for a child with a disability.

Regulations 3 to 7 confer the right to take periods of "parental leave", up to 4 weeks in any year and up to 18 weeks in total on an amployog with any

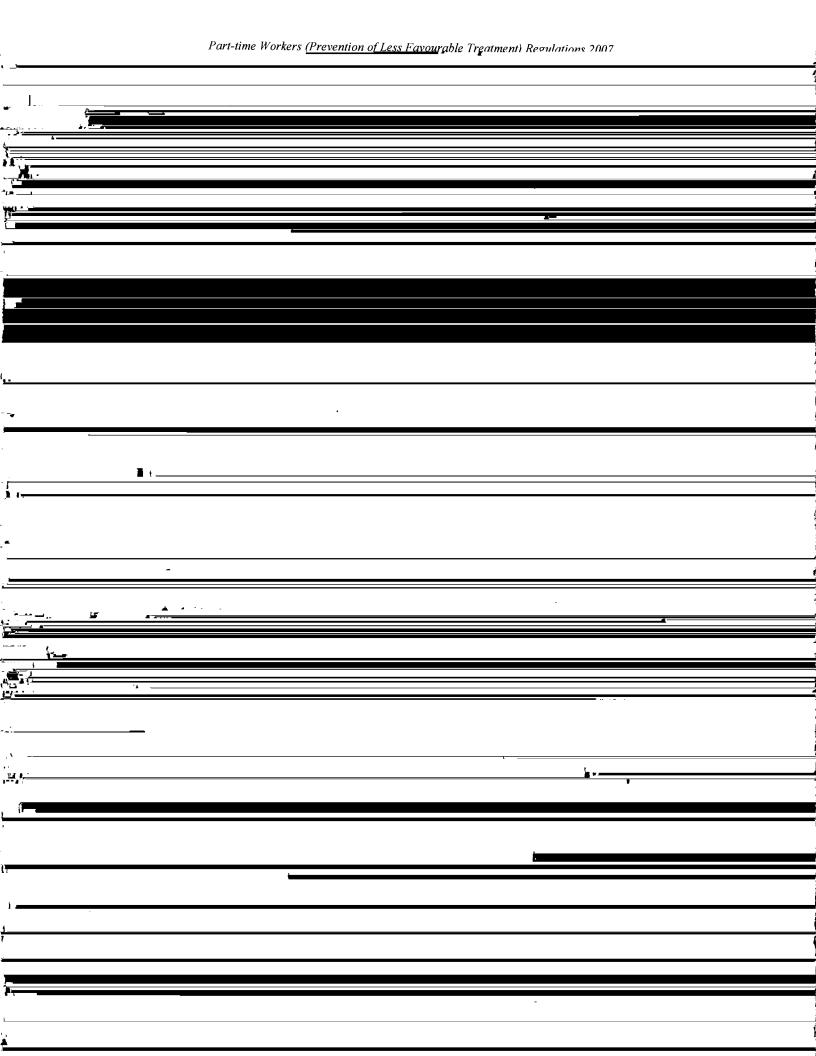


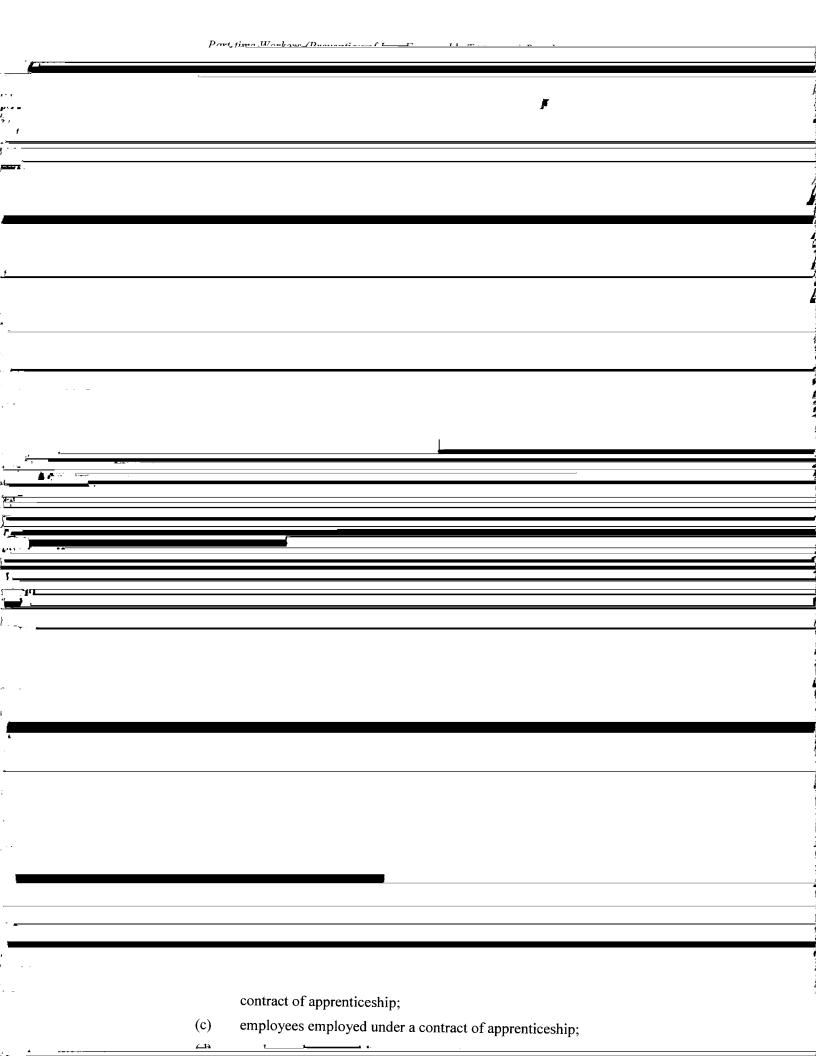


Statutory Document No. 104/07

THE EMPLOYMENT ACT 2006







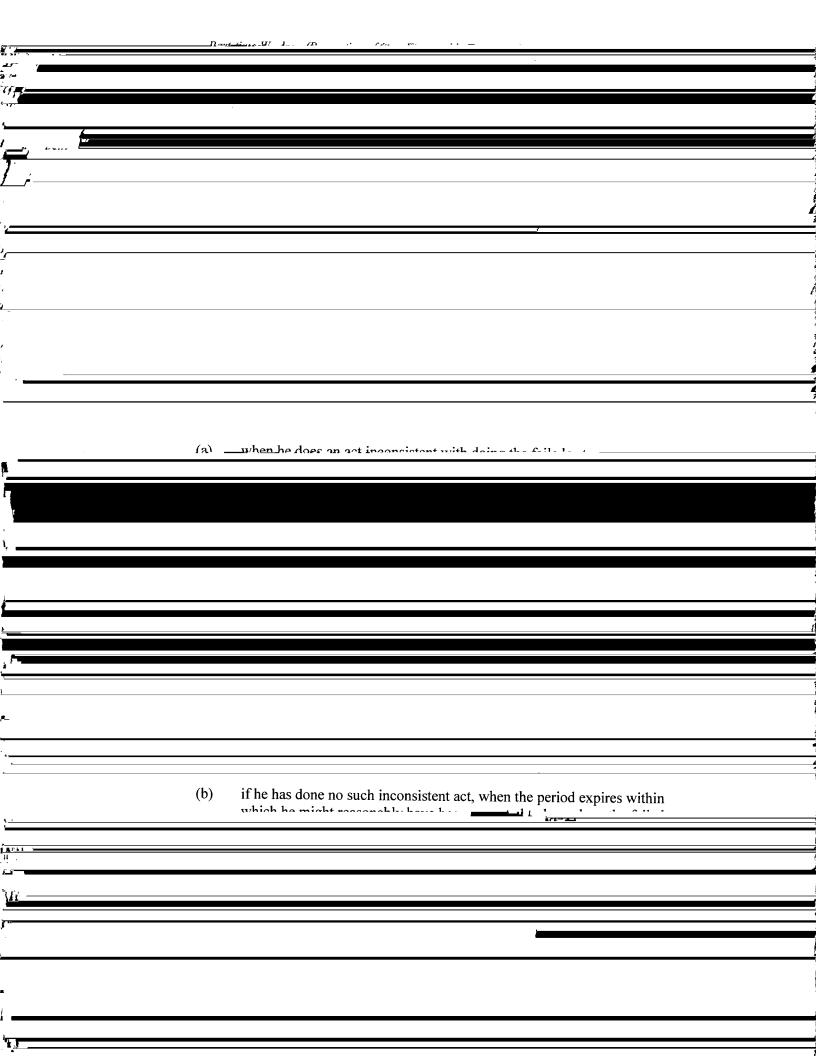
Workers returning part-time after absence

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	(1)	This regulation applies to a worker who —
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		followed a termination of the worker's contract or not);
	(b)	returns to work for the same employer within a period of less than 12
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	· (c)	returns to the same ich or to a ich at the same level and an ich at the same level and an ich at the same ich or to a ich at the same level and an ich at the same ich at the same level and an ich at the same ich at the sam
	ردع)	returns to the same job or to a job of the same level
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.	(3) In determining whether a part-time worker has been treated less
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	proceedings brought by any worker;
	(iv) otherwise done anything under these Regulations in relation to the employer or any other person;
	(v) alleged that the employer had infringed these Regulations; or
	(vi) refused (or proposed to refuse) to forgo a right conferred on
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in subsection (1)(b) (redundancy as unfair dismissal), for "(14)"

(a)

substitute "(15)";

(This note is not part of the Regulations.)

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Statutory Document No. 98/07

THE EMPLOYMENT ACT 2006

THE SUSPENSION FROM WORK ON MATERNITY GROUNDS ORDER 2007

	Approved by Tynwald	218 March 2007
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