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UK MULLS REDUNDANCY PROTECTIONS FOR PREGNANCY, MATERNITY LEAVE

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The UK is seeking comments by 5 April 2019 on a proposal to extend existing redundancy protections for women on maternity leave to pregnant employees and women who have returned from maternity leave in the previous six months. The consultation follows reports that found that pregnant women and new mothers continue to feel forced out of work.

HIGHLIGHTS OF THE CONSULTATION

The consultation features these provisions:

- Sets out the current legal protections for pregnancy and maternity under the Equality Act 2010 and the Employment Rights Act 1996 and related regulations.
- Asks how extending redundancy protection to begin when an employee notifies the employer in writing about her pregnancy and to continue for a period after a woman returns to work from maternity leave might best work.
- Asks whether similar protection should apply to other groups who take extended leave for similar purposes, such as adoption leave, shared parental leave and longer periods of parental leave.
- Sets out government efforts to increase business and employer awareness of their rights and obligations, and invites comments on how they might be improved.
- Considers existing enforcement of employment and equalities legislation in the context of recommendations from the Women and Equalities Select Committee and the Taylor Review.
 - The government believes that enforcement of redundancy protection for pregnant women and new mothers should be consistent with enforcement of other employment protections and will issue proposals for consultation on creating a new, single labor market enforcement agency.

- Discusses the current three-month time limit for bringing a pregnancy and maternity discrimination claim.
 - The Women and Equalities Select Committee had proposed an extension of six months, but the government notes that tribunals already can extend the period for “just and equitable” circumstances and is considering further guidance to increase awareness.
 - The government has already committed to consult on changing time limits for claims relating to discrimination, harassment and victimization, including on grounds of pregnancy and maternity.

RELATED RESOURCES

- [Consultation](#) (Department for Business, Energy & Industrial Strategy, 25 Jan 2019)

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