# Template letter

## **Notice to employee whose job is not being kept open**

*Section 38, Parental Leave and Employment Protection Act 1987*

Give this form to an employee within 21 days after the employee begins his or her parental leave.

**To** [*insert name and address of employee*]

1 Your parental leave ends on [*insert* *date*] / / .

2 You will, during the period of 26 weeks beginning on [*insert* *date of the day after the date on which the employee’s parental leave ends*] / / , be given preference by [*insert* *name of employer*] /me\* over other applicants for any position that is vacant and that is substantially similar to the position held by you at the beginning of your parental leave.

\*Select one.

3 You should read the information below.

Date:

Signature of employer:

**Information about early ending and extension of parental leave**

An employee who is on parental leave and whose job is not being kept open may end his or her parental leave early in certain circumstances.

The circumstances are—

(a) if the child is miscarried:

(b) if the child is stillborn or dies:

(c) if the employee ceases to have care of the child:

(d) if his or her employer agrees (agreement may in the case of a female employee who has been pregnant, be conditional on a medical certificate that states that she is fit to return to work).

In any of these circumstances, the employee may choose to end the parental leave and begin the period of preference by giving his or her employer not less than 21 days’ notice in writing of the date on which he or she intends to begin the period of preference.

An employee who is on parental leave may extend the parental leave to a specified date if his or her employer agrees.