# UK Parental Leave Policy

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Overview

Adobe offers additional parental leave and pay to eligible employees to supplement the parental leave provided under UK law. This enables employees to take more time to bond with their child before returning to work.

Adobe Paid Primary Caregiver Parental Leave

Eligibility

Where an employee is the designated primary carer of their child, Adobe offers up to 26 weeks’ Paid Primary Caregiver Parental Leave. Adobe Paid Primary Caregiver Parental Leave runs concurrently with any statutory maternity, paternity or adoption leave an employee may be eligible to take.

Employees will be eligible for Adobe Paid Primary Caregiver Parental Leave if:

- they have 26 weeks’ continuous employment with Adobe;
- the employee has certified that they are, or will be, the primary caregiver of a new born or recently adopted child (see below);
- they do not have a partner who, at the time the employee is designated as the Primary Caregiver, is or will be on maternity or adoption leave (other than any period of Compulsory Maternity leave);
- the employee has started, or will have started by the time they become the Primary Caregiver, a period of statutory maternity, paternity, or adoption leave; and
- the employee has not received (or applied for) Adobe Paid Non-Primary Caregiver Parental Leave (see below).

A Primary Caregiver is the parent who takes primary responsibility for care of their child during the typical Adobe work hours. Only one parent can be designated as a primary caregiver for each birth or adoption (including multiple births or adoptions).

Entitlement

Employees eligible for Adobe Paid Primary Caregiver Parental Leave can take up to 26 weeks’ paid leave, irrespective of the amount of any statutory leave they may be entitled to received. Adobe Paid Primary Caregiver Parental Leave must be taken in a single continuous block.

While on Adobe Paid Primary Caregiver Parental Leave, employees will be paid at 100% of base salary (or 100% of Total Target Compensation for commissioned employees). This is inclusive of any statutory or company enhanced pay the employee may otherwise be eligible to receive. In other words, this pay is a top-up to any statutory pay the employee is eligible to receive.

Adobe Paid Primary Caregiver Parental Leave will start on the date specified by the employee, but must be taken within 26 weeks of their child’s birth or adoption. After this 26-week period expires, any untaken entitlement will be forfeited. At the end of an employee’s Adobe Paid Primary Caregiver Parental Leave, employees may be eligible to then take any further statutory leave entitlement they may have, such as statutory Additional Maternity leave (see below).

Employees may end their Adobe Paid Primary Caregiver Parental Leave at any time, and may return to work by following the notification process outlined in the Returning to Work section of this policy. By ending their Adobe Paid Primary Caregiver
Parental Leave, employees will forfeit any untaken Adobe Paid Primary Caregiver Parental Leave entitlement.

While on Adobe Paid Primary Caregiver Parental Leave, employees will be able to take Keep-in-Touch Days if they wish, as outlined in the Keeping in Touch Days section of this policy. Holiday entitlement will continue to accrue during Adobe Paid Primary Caregiver Parental leave, and employees will also be eligible on their return to work to take time in lieu of any bank holidays which fall during their Adobe Paid Primary Caregiver Parental leave.

In cases of multiple births or adoptions, only one period of Adobe Paid Primary Caregiver Parental Leave is available to employees.

**Discretionary Status**

Adobe Paid Primary Caregiver Parental Leave is entirely discretionary, and may be modified or removed by Adobe at any time in its absolute discretion.

**Adobe Paid Non-Primary Caregiver Parental Leave**

**Eligibility**

Employees will be eligible for Paid Non-Primary Caregiver Parental Leave if:

- they are not the designated primary care giver of a new born or recently adopted child;
- they have not previously received Adobe Paid Primary Caregiver Parental leave;
- they have 26 weeks’ continuous employment with Adobe and
- they have started a period of statutory maternity, paternity or adoption leave.

**Entitlement**

Employees eligible for Adobe Paid Non-Primary Caregiver Parental Leave can take up to 4 weeks’ leave following the birth or adoption of a child, paid at 100% of base salary (TTC for commissioned employees). This is inclusive of any statutory or company enhanced pay the employee otherwise may be eligible to receive. In other words, this pay is a top-up to any statutory pay the employee is eligible to receive.

Adobe Paid Non-Primary Caregiver Parental Leave will start on the date specified by the employee.

The 4 weeks must be taken as whole weeks (e.g. 1 week or 2 weeks) rather than individual days, but these weeks may be taken on different occasions. A ‘week’ equals the length of time an employee normally works over 7 days. Adobe Paid Non-Primary Caregiver Parental Leave must be taken within 12 months of the birth or adoption of the child, at which point any untaken leave will be forfeited.

Holiday entitlement will continue to accrue during Adobe Paid Non-Primary Caregiver Parental leave, and employees will also be eligible on their return to work to take time in lieu of any bank holidays which fall during their Adobe Paid Non-Primary Caregiver Parental leave.

Adobe Paid Non-Primary Caregiver Parental Leave entitlement will be reduced by and run concurrently to any period of statutory maternity, paternity or adoption leave taken.

In cases of multiple births or adoptions, only one period of Adobe Paid Non-Primary Caregiver Parental Leave is available to
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employees.

Discretionary Status

Adobe Paid Non-Primary Caregiver Parental Leave is entirely discretionary, and may be modified or cancelled by Adobe at any time in its absolute discretion.

Statutory Maternity Leave and Pay (SML and SMP)

All pregnant employees, from day one of employment, are entitled to take up to 26 weeks’ ordinary maternity leave and up to 26 weeks’ additional maternity leave, making a total of 52 weeks. This is regardless of the number of hours they work or their length of service. Additional maternity leave begins on the day after ordinary maternity leave ends.

In addition, an employee can take up to four weeks of unpaid parental leave at the end of her maternity leave if she so wishes.

Ordinary maternity leave can start at any time after the beginning of the 11th week before the employee's expected week of childbirth (unless her child is born prematurely before that date in which case it will start earlier). Maternity Leave will start on whichever date is the earlier of:

- the employee's chosen start date;
- the day after the employee gives birth; or
- the day after any day on which the employee is absent for a pregnancy-related reason in the four weeks before the expected week of childbirth.

If the employee gives birth before her Maternity Leave was due to start, she must notify Adobe in writing of the date of the birth as soon as reasonably practicable.

No employee is permitted to work during the first two weeks after giving birth. This is known as the Compulsory Maternity Leave period. Compulsory maternity leave is included in the ordinary maternity leave period, and is not an additional entitlement.

Notification of pregnancy

Definitions -‘Qualifying week’ means the 15th week before the expected week of childbirth.

The following procedure applies to all employees who are pregnant.

On becoming pregnant, an employee should notify her line manager and Employee Resource Center (ERC) as soon as possible. This is important as there are health and safety considerations for Adobe to consider.

At the earliest possible opportunity, but no later than the end of the ‘qualifying week’, the employee is required to inform Adobe in writing of:

- the fact that she is pregnant;
- her expected week of childbirth; and
- the date on which she intends to start Maternity leave and/or Adobe Paid Primary Caregiver or Adobe Paid Non-Primary Caregiver Leave
- whether she intends to return after the birth of her child
The employee must also provide a MAT B1 form, which is a certificate from a doctor or midwife confirming the expected week of childbirth. The form must have either the doctor's name and address or the midwife's name and registration number on it.

The employee is permitted to change her maternity leave start date, provided that she advises Adobe in writing at least 28 days before the new start date or, if that is not possible, as much notice as reasonably practicable.

Adobe will formally respond in writing to the employee's notification of her leave plans within 28 days, confirming the date on which she is expected to return to work.

Adobe may require any employee to leave work early or undertake suitable alternative work if it is felt that there is a potential health risk to her or her baby.

Maternity Pay

Statutory Maternity Pay (SMP) is payable for up to 39 weeks during maternity leave. An employee is entitled to SMP if:

- she has been continuously employed by Adobe for at least 26 weeks at the end of the qualifying week and she is still employed during that week;
- her average weekly earnings in the eight weeks up to and including the qualifying week are not less than the lower earnings limit for national insurance contributions;
- she is still pregnant 11 weeks before the start of the expected week of childbirth (or has already given birth); she provides a MAT B1 form stating her expected week of childbirth; and she gives Adobe proper notification of her pregnancy in accordance with the rules set out above.

Statutory Maternity Pay is calculated as follows:

- 6 weeks at 90% of salary
- 33 weeks at a prescribed rate set by the Government each year

This is subject to any Government regulations applicable at the time. If an employee does not meet eligibility criteria for Statutory Maternity Pay (SMP) she may instead be entitled to Maternity Allowance payable by the employee's local social security office.

Adobe Paid Primary Caregiver Parental Leave runs concurrently with an employee's maternity leave and is inclusive of any SMP entitlement an employee may have. Therefore, an employee who took their full 52 week maternity leave entitlement and Adobe Paid Primary Caregiver Leave, and who is eligible for SMP would receive:

- 26 weeks at 100% of pay (Adobe Paid Primary Caregiver Parental Leave pay, which is inclusive of SMP entitlement); and
- 13 weeks SMP (if eligible) at a prescribed rate set by the Government each year; and
- 13 weeks without pay

Statutory Adoption Leave and Pay (SAL and SAP)

Employees who adopt, foster or who have a child through a surrogate mother may be eligible to take statutory adoption leave ("SAL"). In summary, statutory Adoption Leave consists of:

- 26 weeks of Ordinary Adoption Leave
- 26 weeks of Additional Adoption Leave
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Only one parent can take adoption leave. If an employee's spouse or partner takes adoption leave with their employer, the other parent will not be entitled to adoption leave but may be entitled to paternity leave and Adobe Paid Non-Primary Caregiver Parental Leave.

Adoption leave can start up to 14 days before the date the child starts living with the employee (UK adoptions), when the child arrives in the UK, within 28 days of this date (overseas adoptions) or the day the child's born or the day after (if the employee used a surrogate to have a child).

Statutory Adoption Pay ("SAP") is paid for up to 39 weeks. The weekly amount is:

- 90% of average weekly earnings (before tax) for the first 6 weeks
- 33 weeks at a prescribed rate set by the Government each year

It's paid in the same way as wages (e.g. monthly or weekly). Tax and National Insurance will be deducted.

Adobe Paid Primary Caregiver Parental and Adobe Paid Non-Primary Caregiver Parental Leave are available to employees who adopt, subject to satisfying the eligibility criteria, referenced earlier in this policy. Pay while on Adobe Paid Primary Caregiver Parental Leave is inclusive of any SAP entitlement an employee may have. Therefore, an employee who took their full adoption leave and is eligible for SAL and SAP would receive:

- 26 weeks at 100% of pay (Adobe Paid Primary Caregiver Parental Leave top-up + SAP)
- 13 weeks at a prescribed rate set by the Government each year

Notification

Within 7 days of being matched with a child, employees must complete the affidavit of care and tell Adobe:

- how much leave they want
- the leave start date
- the 'date of placement' - the date the child is placed with the employee

The employee must give Adobe proof of adoption. The proof must show:

- employee name and address and that of the agency
- the match date - e.g. the matching certificate
- the date of placement - e.g. a letter from the agency
- the relevant UK authority's 'official notification' confirming they're allowed to adopt (overseas adoptions only)
- the date the child arrived in the UK - e.g. plane ticket (overseas adoptions only)

Statutory Paternity Leave and Pay (SPL and SPP)

In summary, eligible employees can choose to take either 1 week or 2 consecutive weeks’ leave. The amount of time is the same even if they have more than one child (e.g. twins). In broad terms, employees will be eligible to SPL on the birth or adoption of a child for whom they will have some responsibility for their upbringing.

Leave can't start before the birth. The start date must be one of the following:

- the actual date of birth
- an agreed number of days after the birth
- an agreed number of days after the expected week of childbirth
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Paternity Leave must be taken in one or two consecutive week blocks, within 56 days of the birth of the child (or due date if the baby is early). The remaining weeks must be taken within 12 months of the birth of the child.

Employees may be eligible for Statutory Paternity Leave and Pay if they and their partner are:

- having a baby
- adopting a child
- having a baby through a surrogacy arrangement

Statutory Paternity Pay (SPP) for eligible employees is either paid at a prescribed rate which is set by the Government for the relevant tax year or 90% of their average weekly earnings (whichever is lower). Tax and National Insurance need to be deducted.

To be eligible for SPP, employees must:

- be the father of the child or are married to, the partner of, or the civil partner of, the child's mother or the child's adopter;
- have worked for Adobe continuously for at least 26 weeks by the end of the 15th week before the expected week of childbirth (known as the 'qualifying week')
- be employed by Adobe up to the date the child is born (or placed with the adopter) (paternity pay only)
- be on our payroll and earn not less than the lower earnings limit for national insurance contributions set by the Government each year in an 8 week 'relevant period' (paternity pay only)
- give employees the correct notice
- be responsible for the child's upbringing
- where they are a person with whom a child is placed for adoption they have elected to receive statutory paternity pay instead of statutory adoption pay

Unpaid Parental Leave

**Eligibility**

Employees qualify if all of these apply:

- they've been continuously employed by Adobe for more than a year
- they're named on the child's birth or adoption certificate or they have or expect to have parental responsibility
- they have or expect to have parental responsibility
- they're not self-employed or a 'worker', e.g. an agency worker or contractor
- they're not a foster parent (unless they've secured parental responsibility through the courts)
- the child is under 18

**Entitlement**

Employees are entitled to 18 weeks' unpaid leave for each child and adopted child, up to their 18th birthday. The limit on how much parental leave each parent can take in a year is 4 weeks for each child. Employees must take unpaid Parental Leave as whole weeks (e.g. 1 week or 2 weeks) rather than individual days, unless the child is disabled. Employees don't have to take all the leave at once. A 'week' equals the length of time an employee normally works over 7 days.
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Shared Parental Leave (SPL)

It is important to note that Adobe Paid Primary Caregiver Parental Leave is **not** available to employees who take or have taken Shared Parental Leave (SPL).

To qualify for SPL, employees must share responsibility for the child with one of the following:

- their husband, wife, civil partner or joint adopter
- the child’s other parent
- their partner (if they live with them)

Employees or their partner must be eligible for maternity pay or leave, adoption pay or leave or Maternity Allowance and must have ended or given notice to reduce any maternity entitlements.

They must also:

- have worked for Adobe continuously for at least 26 weeks by the end of the 15th week before the due date (or date they are matched with their adopted child)
- still be employed by Adobe while they take SPL
- provide the correct notice including a declaration that their partner meets the employment and income requirements which allow them to get SPL
- their partner must meet the "employment and earnings test". Broadly this means they must in the 66 weeks leading up to the child’s expected due date have worked for at least 26 weeks and earned an average of at least £30 a week in any 13 of those weeks

If an employee is eligible and they or their partner end maternity or adoption leave and pay (or Maternity Allowance) early, then they can:

- take the rest of the 52 weeks of leave (up to a maximum of 50 weeks) as Shared Parental Leave (SPL)
- take the rest of the 39 weeks of pay (up to a maximum of 37 weeks) as Statutory Shared Parental Pay (ShPP)

A mother must take a minimum of 2 weeks’ maternity leave following the birth.

ShPP for eligible employees is either paid at a prescribed rate which is set by the Government for the relevant tax year or 90% of an employee's average weekly earnings, whichever is lower.

SPL and ShPP must be taken between the baby's birth and first birthday (or within 1 year of adoption).

SPL and ShPP are only available in England, Scotland and Wales.

Contact

Shortly before an employee’s leave starts, Adobe will discuss the arrangements for him/her to keep in touch during their leave, should he/she wish to do so. Adobe reserves the right in any event to maintain reasonable contact with the employee from time to time during the leave period. This may be to discuss the employee’s plans for return to work, to discuss any special arrangements to be made or training to be given to ease the return to work or simply to update him/her on developments at work during her/his absence.

**Keeping in Touch Days**

Except during the first two weeks after childbirth an employee can agree to work for Adobe (or to attend training) for up to 10 days during either their Adobe Paid Primary Caregiver Parental Leave or their maternity or adoption leave without that work be paid for or counted as working time.
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bringing the period of her leave to an end and without loss of pay. These are known as ‘keeping-in-touch’ days (“KITD”). Any work carried out on a KITD day shall constitute a day's work for these purposes and will be paid at full basic salary for that day. There will be no reduction to pay for the week in which any KITD's are worked.

Adobe has no right to require the employee to carry out any work, and the employee has no right to undertake any work, during their maternity of Adobe Paid Primary Caregiver Parental Leave. Any work undertaken, is entirely a matter for agreement between Adobe and the employee. Any keeping-in-touch days worked do not extend the period of maternity/adoption or Adobe Paid Primary Caregiver Parental leave. Once the keeping-in-touch days have been used up, the employee will lose a week's pay for any week in which she agrees to work for Adobe.

For clarity, the company will allow male employees to also utilise 10 ‘keeping-in-touch’ days during Adobe Paid Primary Caregiver Parental Leave without forfeiting the twenty-six (26) calendar weeks of pay.

Initiating a Leave

In order to help minimize business disruption and ensure all leave entitlements are given, employees should notify their manager of leave plans in writing using the guidelines outlined below:

Adobe Paid Primary Caregiver Parental & Adobe Paid Non-Primary Caregiver Parental Leaves

Please complete the affidavit of care at least 28 days before the employee or their partner is scheduled to give birth to a child. The employee will need to provide proof that they or their partner is pregnant (normally the MATB1) and follow any applicable notification requirements under the maternity, adoption or paternity leave policies.

Unpaid Parental Leave

Employees must give 21 days' written notice before their intended start date. If they or their partner are having a baby or adopting, it’s 21 days before the week the baby or child is expected.

Employees must confirm the start and end dates in their notice.

Shared Parental Leave

To elect Shared Parental Leave (SPL) or Shared Parental Pay (ShPP) an employee must give Adobe at least 8 weeks' written notice of the leave dates and give Adobe binding notice of the date when the employee plans to end any Statutory Pay they are eligible for and receiving.

Returning to Work

Returning to work following Adobe Paid Primary Caregiver Parental Leave

Subject to the employee complying with the procedures set out above, when returning from Adobe Paid Primary Caregiver Parental Leave (or ordinary maternity/adoption leave) the employee will be entitled to return to the same job on the same terms and conditions as if he/she had not been absent. If an employee takes additional maternity/adoption leave, they will be entitled to return to the same job insofar as this is reasonably practicable.

An employee will be expected to return following Adobe Paid Primary Caregiver Parental Leave and/or maternity leave on
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the date agreed with Adobe. It would, however, assist if the employee would telephone the Manager at least 2 weeks before their return, so that Adobe can ensure that arrangements are in place for her/his return. Failure to return on the date agreed will be treated as unauthorized absence.

If an employee wishes to return to work earlier than the expected return date, he/she must give Adobe at least eight weeks' notice of her date of early return, preferably in writing. If she/he fails to do so, Adobe may postpone his/her return to such a date as will give Adobe eight weeks' notice, provided that this is not later than the expected return date.

**Not returning to work following Adobe Paid Primary Caregiver Parental Leave**

An employee will be expected to return following leave on the date agreed. Failure to return on the date agreed will be treated as unauthorized absence. If an employee wishes to return to work from Adobe Paid Primary Caregiver Parental Leave earlier than the expected return date, the employee must give Adobe at least eight weeks' notice of the date of early return.

If the employee decides not to return to work after Adobe Paid Primary Caregiver Parental Leave, the employee must give notice of resignation as soon as possible and in accordance with the terms of his/her contract of employment. If the notice period would expire after Adobe Paid Primary Caregiver Parental Leave has ended, Adobe may require the employee to return to work for the remainder of the notice period.

**Illness after Adobe Paid Primary Caregiver Parental Leave**

If an employee has a medical condition that prevents him/her from returning to work on the agreed date, he/she should send a medical certificate to Adobe as soon as possible. The employee will be treated as having returned from leave on the agreed date and treated the same as any other employee on sick leave. The normal contractual arrangements for sickness absence will, therefore, apply.

**Benefits Impact while on Leave**

Unless specifically outlined in a separate paragraph within this policy, all UK benefits including car allowance, fuel cards, gym subscription and annual leave etc., remain unchanged during both Adobe Paid Primary Caregiver Parental and Adobe Paid Non-Primary Caregiver Parental Leave.

**Annual Leave**

Annual leave continues to accrue during Adobe Paid Primary Caregiver Parental and Adobe Paid Non-Primary Caregiver Parental leave, and all periods of statutory parental leave. Accrued annual leave should be taken either before commencement of, or immediately at the end of the leave period. Where this leave falls over from one calendar year to the next, annual leave can be carried over but must be taken immediately at the end of the leave period, prior to the employee's return to work.

There will be no payment in lieu of untaken annual leave.

**Pension**

Pension contributions continue unchanged during the period of paid PCG Leave, maternity leave or adoption leave, and will continue to be based on a percentage of the employee's annual base salary. Contributions are not payable during periods of unpaid leave.
Commission & Bonus Impact while on Leave

The payment and entitlement to earnings other than basic pay during PCG Leave, maternity and adoption leave can be complex and will depend on the exact circumstances of the employee concerned. However, for reference, some general principles are set out below.

Sales based commission

If an employee participates in a sales based commission plan, any commission for closed quarters which has accrued but has not yet been paid prior to commencement of Adobe Paid Primary Caregiver Parental/Adobe Paid Non-Primary Caregiver Parental Leave will be paid in the usual manner and at the same time as commission is received by employees not on Adobe Paid Primary Caregiver Parental/Adobe Paid Non-Primary Caregiver Parental Leave.

As start and end dates of Adobe Paid Primary Caregiver Parental Leave are unlikely to fall at quarter ends, employees are likely to work partial quarters prior to commencement or upon return from Adobe Paid Primary Caregiver Parental/Adobe Paid Non-Primary Caregiver Parental Leave. Employee Relations will confirm an appropriate pro-rating of the employee's target for that quarter. Commission entitlement will then be based on this pro-rated quarter.

When making this assessment, employees will be paid commission for the two-week period of compulsory maternity leave as if they were working during that period. Details of exactly how this will be calculated will be confirmed by Employee Relations when confirming the appropriate pro-rating.

Subject to that two-week period, during any quarters of which no portion is worked, the employee shall not be entitled to receive sales based commission as no such sales will have been achieved.

Bonuses

Bonuses which are announced and confirmed prior to commencement of any parental leave are unaffected by commencement of Leave and will be paid on the previously notified date or on such date as the bonus is paid to other employees not on Adobe Leave.

Bonuses which are referable to an element of personal performance or where personal performance is taken into account will be pro-rated to take account of the element of the bonus year for which the employee was not on leave. This will usually be a straight-line pro-rating, but Adobe reserves the right to consider other factors, such as seasonal variation in levels of business, where it is considered appropriate to do so.

For the purposes of the pro-rating above, the two-week period of compulsory maternity leave shall be counted as a period during which the employee is at work, rather than a period of leave.

Ante-Natal Care

Employees are entitled to paid leave for reasonable attendance at ante-natal appointments, either for themselves or to support their partner. The employee must provide their manager with a doctor’s certificate of pregnancy and appointment card when requesting permission.

Where an employee can reasonably arrange such appointments to take place out of working hours, they requested to do so. Otherwise they are requested to arrange them as close to the start or end of the working day as possible.