

# Comments on adoption leave

### Sonke Gender Justice

# 10 weeks of adoption leave provided by the Bill is insufficient

- Propose 10 working days for one adoptive parent after the child is physically placed with the adoptive parents
- 6 consecutive months for the other adoptive parent within the first 3 years that the child that is to be adopted is physically placed with the adoptive parent.

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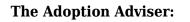
 Proposal for 10 weeks adoption leave be amended to reflect the same 4 to 6 months provisions of maternity leave. As adopted parents do not need to recover from having given birth, provision should be made for the adopted parents to sub-divide this 4 to 6 months adoption leave.

## Legal adviser's comments

- The rationale for giving 10 weeks, as opposed to 4 months which is applicable to maternity leave, is that the adoptive parent does not need not recover from giving birth.
- Section 25(4) of the BCEA provides that a person who miscarriage during the third trimester or who bears a stillborn child is entitled to six weeks maternity leave which commences after the miscarriage or stillbirth.
- The period for adoption leave was therefore shortened to exclude the period that catered for the recovery after birth.
- This is a policy decision that the committee must decide on whether to extend the adoption leave period to 4 months.

# **The Adoption Adviser**

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