Parental Leave

Parental Leave includes Maternity, Partner, Adoption and Foster Parent Leave

PURPOSE
The University provides eligible staff members with access to Parental Leave as a basic necessity in recognition that child birth and family responsibilities are central to a family-friendly workplace.

ELIGIBILITY

Maternity Leave
Ongoing and fixed term contract staff with 10 months or more continuous service with the University prior to the birth of the child are entitled to paid Maternity Leave. An employee on a fixed-term contract is only entitled to receive paid Maternity Leave up to the end of their contract. Paid Maternity Leave is not available to casual employees.

Adoption Leave, Foster Parent Leave and Child Rearing Leave
Employees with 12 months continuous service are eligible for adoption leave, foster parent leave and child rearing leave.

Foster Parent Leave only applies to children under 16 years of age. Leave does not apply where the staff member has previously had custody of the child within the previous 12 months.

ENTITLEMENTS
Parental Leave is an individual entitlement and there is no restriction on the number of times an employee may take leave.

Paid and Unpaid Maternity Leave:
Staff members who have completed:

- 12 months continuous service preceding the birth of the child are entitled to a total of 12 months leave (including the period of paid leave), commencing 20 weeks before the anticipated birth of the child and up to 52 weeks after the birth of the child. This includes 14 weeks full-pay which may be taken as half-pay or a combination of half-pay and full-pay;

- 11 months continuous service preceding the birth of the child are entitled to a total of six months leave (including the period of paid leave), commencing 20 weeks before the anticipated birth of the child and up to 26 weeks after the birth of the child. This includes 12 weeks full-pay which may be taken as half-pay or a combination of half-pay and full-pay;

- Less than 10 months continuous service preceding the birth of the child are NOT entitled to paid Maternity Leave.

Returning to Work
Staff members on Maternity Leave (paid or unpaid) may not return to work before the expiration of six weeks following the birth of the child.

Notwithstanding the above, if a staff member requests to return to work during this period, medical evidence must be provided to HRS through the staff member’s supervisor, stating that there are no medical obstacles to returning to work.

An employee returning to full-time work following a period of Parental Leave shall be allowed two days paid time off per week until the child’s first birthday to assist in returning to work (return to work leave). This must be discussed and agreed to prior to going on parental leave with the supervisor.

This information is provided as a guide only. Please refer to the Charles Darwin University and Union Enterprise Agreement 2013 and relevant policies and procedures.
The phrase ‘returning to work full-time’ means the employee returning to their pre-parental leave position and location or, if that position no longer exists, a suitable alternative position.

**Partner Leave**

Five days paid leave is available to an employee who is the father or the person who accepts the responsibility for the care and maintenance of an expected or newly born child. Leave may be taken at half pay over 10 days.

An employee with 12 months or more continuous service shall be entitled to an aggregate of 52 weeks leave up to the child’s first birthday. An employee (other than a casual employee) with less than 12 months but more than 10 months continuous service shall be entitled to 26 weeks leave up to the child’s first birthday.

**Adoption Leave**

Adoption leave is available to an employee with 12 months continuous service at the date of taking custody of a child under school age, who is not the birth child of the employee or the employee’s spouse or partner and who has not lived continuously with the employee for six months or longer as at the day of placement.

The adoption leave entitlement is three weeks paid leave with up to an additional 49 weeks unpaid leave. An additional two days unpaid leave shall be available for attending compulsory interviews in connection with the adoption.

**Foster Parent Leave**

An employee with 12 months continuous service preceding the date of taking custody of the child is entitled to three weeks paid foster parent leave.

An additional two days unpaid leave shall be available for attending compulsory interviews in connection with the fostering of the child.

**Child Rearing Leave**

A staff member with 12 months continuous paid service shall be entitled to 52 weeks leave without pay to care for a child up to the child’s sixth birthday. Leave under this clause may not be approved with less than three months advanced notice.

**Casual Employees**

A casual employee is only entitled to unpaid Maternity Leave where:

- The employee has been employed by the University on a regular and systematic basis for a sequence of periods of employment during a period of at least 12 months; and
- The employee has a reasonable expectation of continuing employment on a regular and systematic basis.

**PROCEDURES**

All Parental Leave applications must be evidenced by relevant documentation.

For Maternity Leave, medical evidence must be provided, certifying the child’s expected date of birth, not less than 10 weeks before the due date.

All staff members booking maternity leave must do so by completing the Application for Leave form available from the HRS Forms website.

Personal Leave (sick/carer’s) and Compassionate Leave is not available during parental leave (except in the event of pregnancy termination).

No other paid work outside the University may be undertaken during a period of parental leave.

Periods of approved parental leave will not break continuity of service.

Periods of unpaid parental leave will not count as service for accrual purposes.

Prior to taking parental leave (except child-rearing leave) the staff member must provide to his or her supervisor:

- No less than 4 weeks notice of the date of commencement of leave and the duration;
- No less than 4 weeks notice of any variation of leave arrangements, except by agreement with the University;
- No less than 4 weeks notice of intention to return to work prior to the end of leave. Early return from leave is subject to approval by the University.

**RELEVANT FORMS**

Parental Leave requests are applied for using the Application for Leave form available through the link on the HRS forms webpage.