

Parental Leave Schedule



1 Purpose

PLEASE NOTE: All human resource management policy instruments are currently under review to ensure alignment with the new Enterprise Agreement. Contact the People Portfolio for more information.

To outline the parental leave entitlements available to Employees.

2 Scope

This schedule must be read in conjunction with the Leave of Absence Procedure and is subordinate to it.

This schedule applies to all eligible Employees.

3 Schedule

Eligible Employees will be provided with a clear understanding of parental leave entitlements.

3.1 Parental leave

3.1.1 Maternity

3.1.1.1 Eligible Employees

Employees with at least 12 months' continuous service, as at the medically certified expected date of birth, are eligible to access this leave entitlement.

Any Employee who has complied with the notice and evidence requirements (regardless of their length of service) is entitled to be transferred to a safe job because of illness, or risks arising out of the pregnancy, or hazards connected with the Employee's position.

3.1.1.2 Entitlement

Eligible Employees are entitled to a total absence of 52 weeks. This may include a maximum of 14 weeks paid maternity leave, six weeks paid primary care-giver's leave and an additional six weeks paid leave, plus any accrued annual and long service leave.

Employees who do not have at least 12 months' continuous service, are entitled to a maximum of 26 weeks leave without pay, and any accrued annual leave may be taken during the period of

absence.

For the period of paid leave, Employees will be paid a salary at the rate calculated on the Employee's average service fraction over the preceding 12 month period prior to the commencement of paid leave.

A casual Employee with at least 12 months' continuous service is entitled to unpaid leave.

3.1.1.3 Conditions

A medical certificate is required indicating the expected date of birth, with a statutory declaration stating the period of any parental leave sought by the Employee's partner if they are also an Employee of the University.

Maternity leave may begin up to 20 weeks prior to the expected date of birth, or earlier where certified by a medical practitioner. Otherwise, paid maternity leave will commence from the date of birth of the child, and will be continuous for the 14-week period.

Where an Employee is on paid maternity leave, personal leave will not be granted for normal pregnancy, but may be granted by the Chief People Officer after medical advice has been considered in respect of abnormal conditions associated with the pregnancy.

Where, in the opinion of a registered medical practitioner, illness or risks arising from pregnancy or hazards connected with the work assigned to the Employee, make it inadvisable for the Employee to continue in their present work, the Employee will, if the University deems it practical, be transferred to a safe job until the beginning of maternity leave. If the transfer to a safe job is not practical, the Employee may, or the University may require the Employee to, take leave for such period as is certified necessary by a registered medical practitioner.

Where a safe job is not able to be located, paid leave will be granted to Employees who are entitled to paid or unpaid parental leave, and who have complied with notice and evidence requirements. Employees not entitled to paid or unpaid parental leave will be entitled to unpaid leave in these same circumstances.

Once leave has begun, the Employee is required to remain absent for at least six weeks from date of birth.

Where a pregnancy terminates in other than the birth of a living child, or where the child dies during the period of paid maternity leave, the Employee shall continue to be entitled to apply for:

- leave in accordance with the University's policies and procedures;
- paid special leave; and
- resume work at a time mutually agreed between the University and the Employee which will not exceed five weeks from the date of notice in writing by the Employee to the University that they desire to resume work.

In considering applications for paid special leave, the Delegate will take into account the period of maternity leave entitlement.

An Employee is entitled to a six-week block of paid primary care-giver's leave to be taken following any maternity, partner or adoption leave taken in relation to the child, within 26 weeks of the medically certified expected date of birth or adoption date.

An Employee who is entitled to access primary caregiver's leave for a child may access a total of a further six weeks of paid leave for the same child. This may be taken at a time agreed with the Employee's Supervisor, up to the child's second birthday.

The unpaid leave cannot extend beyond the child's first birthday, except as provided for in relation to the additional six weeks paid leave.

Where both parents are University Employees, the period of paid leave cannot be taken at the same time.

Where both parents are eligible University Employees, the combined primary caregiver's leave entitlement is 12 weeks. This entitlement may be utilised by either partner but not concurrently.

An Employee may return to work after parental leave on either a full-time or fractional basis for a maximum period of two years from the return to work date by mutual agreement with the Category 4 Delegate or above (refer to 3.1.4 Parental - General for more information).

There is an expectation that an Employee who accesses paid components of parental leave will return to the workplace for at least three months following the period of parental leave.

3.1.2 Partner (Paternity)

3.1.2.1 Eligible Employees

An Employee who is a father of, an expected or newly born child, or partner of, the birth mother or legal parent through adoption or a surrogacy arrangement, or who accepts responsibility for the care of an expected or newborn child (this is inclusive of same-sex partners).

3.1.2.2 Entitlement

A total absence of 52 weeks. This may include a maximum of two weeks paid partner leave and any accrued annual and long service leave.

The two weeks paid leave can be taken as separate periods of at least a day.

An Employee who does not have 12 months continuous service is entitled to a maximum of 26 weeks leave without pay, and any accrued annual leave taken during the period of absence.

3.1.2.3 Conditions

A medical certificate is required which names the Employee's partner, states the partner is

pregnant and indicates the expected date of birth, with details of any leave approved for the partner.

The paid leave must commence between one week prior to the expected date of birth and five weeks after birth. The unpaid leave cannot extend beyond the child's first birthday.

Where the partner of the birth mother is also an Employee of the University, the aggregate of any periods of leave must not exceed 52 weeks. Both the birth mother and the partner are entitled to take up to eight weeks of unpaid leave at the same time, commencing immediately after the birth or, by agreement, up to six weeks after the birth. The concurrent leave may be taken in separate periods. However, each period must not be less than two weeks, unless agreed by the Delegate.

An Employee is also entitled to six weeks paid primary care-giver's leave to be taken immediately following partner leave in relation to the child where they are the primary care-giver, and where the child's birth parent has not taken the six weeks primary care-giver's leave.

An Employee who is entitled to access primary caregiver's leave for a child may access a total of a further six weeks of paid leave for the same child, where the child's birth parent has not taken the further six weeks paid leave. This may be taken at a time agreed with the Employee's Supervisor, up to the child's second birthday.

There is an expectation that an Employee who accesses paid components of parental leave will return to the workplace for at least three months following the period of parental leave. The University may require any monies to be refunded should an Employee resign following the period of parental leave.

3.1.3 Adoption and Surrogacy

3.1.3.1 Eligible Employees

An Employee with 12 months continuous service who assumes the principal role of providing care for a child born through adoption or who assumes the principal role of providing care for a child born through a surrogacy arrangement. For adoption, the child must be under the age of five (this is inclusive of same-sex partners).

3.1.3.2 Entitlement

52 weeks leave of which 14 weeks unbroken leave are paid at normal salary.

The 14 weeks paid leave will be taken at the time of placement of the child.

3.1.3.3 Conditions

Statement must be provided from Adoption Agency or other appropriate body stating date of placement of child and that the Employee is to have custody of the child, and a statutory declaration stating the period of any adoption leave sought by the Employee's partner, and the Employee is seeking the leave to be the child's primary caregiver.

An Employee is entitled to six weeks paid primary care-giver's leave to be taken immediately following adoption leave taken in relation to the child where they are the primary care-giver.

An Employee who is entitled to access primary caregiver's leave for a child may access a total of a further six weeks of paid leave for the same child. This may be taken at a time agreed with the Employee's Supervisor, up to the second anniversary of the date of placement, or the child's fifth birthday, whichever is the sooner.

There is an expectation that an Employee who accesses paid components of parental leave will return to the workplace for at least three months following the period of parental leave. The University may require any monies to be refunded should an Employee resign following the period of parental leave.

3.1.4 General

3.1.4.1 Application process

All applications for parental leave are to be made using the relevant ServiceHub application form. The Authorising Officer for all applications of parental leave is the relevant Category 4 Delegate or above.

3.1.4.2 Minimum notice

Maternity

10 weeks written notice to the Supervisor stating expected date of birth.

Absence Request Form to be submitted four weeks prior to start of leave indicating the period of leave to be taken.

If both parents are University Employees and if concurrent unpaid leave is to be taken in a second or subsequent period, four weeks' notice is to be provided.

Written notice of intention to return to work must be given at least four weeks prior to end of parental leave.

Paternity

10 weeks written notice to the Supervisor stating expected date of birth where the Employee intends to access parental leave in excess of the two weeks paid partner leave.

Absence Request Form to be submitted four weeks prior to start of leave indicating the period of leave to be taken.

If both parents are University Employees and if concurrent unpaid leave is to be taken in a second or subsequent period, four weeks' notice is to be provided.

Written notice of intention to return to work must be given at least four weeks prior to end of

parental leave where the Employee has taken parental leave in excess of the two weeks paid partner leave.

Adoption and Surrogacy

Written notice of any approval to adopt a child normally at least 10 weeks before the expected date of placement of the child.

Absence Request Form indicating start and end dates, as soon as practicable after notification of the expected placement date but, in any case, at least 14 days before starting the leave.

3.1.4.3 Other leave applicable

As indicated in 3.1.1 to 3.1.3, an Employee on approved parental leave may take annual leave or long service leave in lieu of unpaid elements of parental leave.

An Employee returning to work after parental leave is entitled to be employed in:

- the position, salary and classification level held by the Employee immediately before starting parental leave
- if the Employee worked on a fractional basis because of the pregnancy before starting maternity leave - the position held by the Employee immediately before starting fractional employment
- if the Employee was transferred to a safe job before starting maternity leave - the position held by the Employee immediately before the transfer.

Where significant changes to the role or duties of the position occur during the Employee's absence on parental leave, the Employee will be consulted prior to the implementation of such changes.

A replacement Employee will only be appointed on a temporary or seconded basis for the period of parental leave.

An Employee returning to work after parental leave may return on either a full-time or fractional basis, subject to the operational needs of the workplace and the mutual agreement of the Delegate and the Employee:

Where the Employee returns on a fractional basis, salary and entitlements will be adjusted accordingly.

Any period of fractional employment will initially be approved for a maximum period of two years from the return to work date.

Within six weeks prior to the expiry of the fractional employment agreement the arrangement

will be reviewed taking into account the organisational needs of the University and the family responsibilities of the Employee. At this time the fractional arrangement agreement may be:

- confirmed on a continuing basis
- extended (subject to further reviews to be conducted at least annually)
- ceased.

Such determination is to be made at the University's discretion, and requests may be refused based on an assessment of reasonable business grounds.

3.2 Government scheme

3.2.1 Paid parental leave

3.2.1.1 Eligible Employees

Employees must meet the eligibility test provided by the Family Assistance Office. The University does not determine eligibility.

3.2.1.2 Entitlement

Eligible Employees will be entitled to the National Minimum Wage for a maximum period of 18 weeks. This pay is taxable. The start date cannot be before the child's birth or adoption.

Employees entitled to paid parental leave from the University may take their Government Scheme paid parental leave concurrently with this or other leave entitlements, or may choose to take it after exhausting all other parental and annual leave entitlements within the 52 week period.

3.2.1.3 Conditions

It is the Employee's responsibility to apply for the paid parental leave Government Scheme directly with the Family Assistance Office.

The Employee must notify the University of the length of the Government Scheme paid parental leave, in conjunction with the application for UniSQ parental leave in accordance with the provisions of 3.1.1, 3.1.2, 3.1.3 and/or 3.1.4 above.

The Government Scheme paid parental leave can be taken any time within the first year after birth or adoption.

Employees who are transferring their paid parental leave Government Scheme to their partner (dependant on meeting eligibility as per the Family Assistance Office eligibility test) will need to advise the University of this arrangement when providing the initial 10 weeks written notice to

their Supervisor. The Employee needs to be aware that only the primary caregiver is eligible to receive the government funded payment.

If an Employee returns to work before they have received their 18 weeks of paid parental leave Government Scheme, the Employee must advise the Family Assistance Office and any payments in relation to the government funded paid parental leave will cease.

Where an Employee is seeking parental leave under 3.1.2 and is eligible to receive payment under the government funded paid parental leave, they must advise the University via the relevant application form in ServiceHub.

3.2.1.4 Minimum Notice

10 weeks written notice to the Supervisor stating expected date of birth or date of placement.

Absence Request Form to be submitted four weeks prior to start of leave indicating the period of leave to be taken.

Written notice of intention to return to work must be given at least four weeks prior to end of parental leave.

3.2.2 Dad and partner pay

3.2.2.1 Eligible Employees

Employees must meet the eligibility test provided by the Department of Human Services. The University does not determine eligibility.

3.2.2.2 Entitlement

Eligible Employees may receive up to two weeks' pay at the National Minimum Wage whilst on unpaid leave from work or not working.

3.2.2.3 Conditions

It is the Employee's responsibility to apply for Dad and Partner Pay directly with the Department of Human Services.

Receiving Dad and Partner Pay does not affect University paid Partner Leave entitlements however Employees are not able to receive both payments at once. To be eligible to receive Dad and Partner Pay Employees must be on unpaid leave and as such need to apply for leave without pay from the University in order to be eligible.

Both parents can take up to eight weeks of their unpaid leave at the same time, starting immediately after the birth or, by agreement with the Delegate, up to six weeks after the birth. The concurrent leave may be taken in separate periods, but each period must not be less than two weeks, unless agreed by the Delegate.

3.2.2.4 Minimum notice

10 weeks written notice to the Supervisor stating expected date of birth where the Employee intends to access parental leave in excess of the two weeks paid partner leave.

Absence Request Form to be submitted four weeks prior to start of leave indicating the period of leave to be taken.

If concurrent unpaid leave is to be taken in a second or subsequent period, four weeks' notice is to be provided.

Written notice of intention to return to work must be given at least four weeks prior to end of parental leave where the Employee has taken parental leave in excess of the two weeks paid partner leave.

4 Delegated Responsibilities

Approver	Level of Delegation
Category 4 Delegate or above	Approval of parental leave.

5 References

Nil.

6 Schedule Information

Accountable Officer	Chief People Officer
Responsible Officer	Chief People Officer
Policy Type	University Procedure
Policy Suite	Position Establishment and Evaluation Policy
Approved Date	18/10/2022
Effective Date	18/10/2022
Review Date	3/4/2024
Relevant Legislation	Enterprise Agreement

Policy Exceptions	Policy Exceptions Register
Related Policies	
Related Procedures	Leave of Absence Procedure
Related forms, publications and websites	Dad and Partner Pay Leave of Absence Request Form Parental Leave Pay
Definitions	<p>Terms defined in the Definitions Dictionary</p> <p>Delegate (noun)</p> <p>Delegate (noun) means the officer, Employee or committee of the University to whom, or to which, a delegation of authority has been made under this Policy.</p> <p>Employee</p> <p>A person employed by the University and whose conditions of employment are covered by the Enterprise Agreement and includes persons employed on a continuing, fixed term or casual basis. Employees also include senior Employees whose conditions of employment are covered by a written agreement or contract with the University.</p> <p>Procedure</p> <p>An operational instruction that sets out the process to operationalise a Policy.</p> <p>University</p> <p>The term 'University' or 'UniSQ' means the University of Southern Queensland.</p> <p>Enterprise Agreement</p> <p>University of Southern Queensland Enterprise Agreement 2023-2026.</p> <p>Definitions that relate to this schedule only</p> <p>Supervisor</p> <p>Any person responsible for leading the activities of others. In the context of this schedule, a Supervisor includes Employees at any classification level or title who have responsibilities for leading, managing or</p>

	supervising work teams and/or individual Employees.
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