



## Parental Leave – ANU Enterprise Agreement 2017-2021

### ***What is Parental Leave?***

Parental Leave is an entitlement available to University employees who are having a baby, or are adopting or fostering a child (up to five years of age).

### ***Eligibility for Parental Leave***

All continuing, continuing (contingent funded), and fixed term staff are entitled to paid parental leave provided that they have 12 months' continuous service with the University as at the commencement of leave (for birth related leave), or the as at the date of birth or placement of the child (for partner or placement related leave).

If you are a staff member with less than 12 months service, the Human Resources Division will work with you to develop a leave plan to suit your individual circumstances.

### ***Parental Leave categories***

**Parental Leave (birth-related):** Following the birth of a child, eligible staff can access up to 26 weeks paid leave.

**Parental Leave (placement-related):** Following adoption, permanent foster care or guardianship, eligible staff can access up to 26 weeks paid leave.

**Primary Carer Partner Leave:** Where a staff member's partner gives birth, or the staff member becomes one of two adoptive or foster parents, or legal guardians; and the staff member becomes the primary carer of that child, the staff member can access up to 26 weeks paid leave. The staff member's partner does not need to be an ANU employee for a staff member to access primary carer partner leave.

**Partner Leave (supporting):** Where a staff member's partner gives birth, or the staff member becomes one of two adoptive or foster parents, or legal guardians; and the staff member is not the primary carer of that child, the staff member can access 15 days paid leave.

### ***Parental Leave commencement***

**Parental Leave (birth-related)** a staff member is expected to commence leave six weeks prior to the baby's expected date of birth. Requests to commence leave at a later date can be accommodated and must be supported with medical clearance.

**Parental Leave (placement-related)** normally commences from the date the child is placed with the parents. An earlier commencement is possible where the staff member needs to prepare for the placement of the child.

**Primary Carer Partner Leave** commences from the date the staff member takes on primary care of the child. This leave must be utilised in full prior to the child's first birthday.

**Partner Leave (supporting)** can be taken at any time within 12 months from the birth or placement of the child. The staff member can choose to access this leave in the way that best supports their individual circumstances, for example: a single block of time or individual days across a period of time.

### ***What does primary carer mean?***

Primary carer means the person who has the dedicated responsibility for the day-to-day care of the child, and who physically cares for the child on a daily basis. For the purposes of paid parental leave, there can only be one primary carer for a child at any one time.

### ***What if both parents are ANU staff members?***

To ensure consistency and fairness across all ANU staff members, the maximum portion of paid parental leave for an individual staff member is 26 weeks, irrespective of whether one or both parents are ANU staff members.

### ***What notice and information is required?***

Wherever possible, the University asks staff to provide at least 10 weeks' notice of their intention to take paid parental leave.

A completed leave form detailing the intended leave arrangements, and confirmation of primary care responsibilities is required for all types of parental leave.

### ***Supporting documentation***

**Parental Leave (birth-related):** Confirmation of pregnancy medical certificate.

**Parental Leave (placement-related):** Copy of placement papers from relevant placement agency.

**Primary Carer Parental Leave:** Copy of the birth certificate.

**Partner Leave (supporting):** Confirmation of pregnancy medical certificate, or birth certificate.

### ***Maximising leave arrangements***

The University is dedicated to providing staff with flexibility to support the needs of their family. The University encourages staff to use annual or long service leave entitlements, alongside their parental leave if this suits their circumstances.

Although not an ANU requirement, under legislation other forms of paid leave cannot be used in the first 12 weeks post birth, regardless of whether the parental leave is paid or unpaid.

## Returning to Work

Staff return to work in the same position they held before commencing parental leave.

The University provides staff with access to a range of flexible work arrangements when returning to work following a period of parental leave.

Career Re-Entry assistance (equivalent to 6 weeks paid leave) can be used by eligible staff in a variety of ways including:

- six weeks' paid leave taken in full or in agreed periods;
- agreed graduated return to work program;
- agreed staff development opportunities;
- activities to maintain or re-establish staff member's career;
- paid time release to facilitate care arrangements and/or for breastfeeding; or
- other career support activities.

## Case studies

### Parental Leave (birth-related)

Hua is a continuing ANU staff member who has been working for ANU for more than 12 months. Hua is pregnant and has medical clearance to work up to 2 weeks before her expected date of birth. Hua has provided 10 weeks' notice to take 30 weeks off work to care for her newborn. Hua does not wish to take any period of unpaid leave or half pay. Hua would like to return to work 3 days per week for the first 5 weeks post-parental leave before building back up to full time hours. In consultation with her supervisor, Hua develops the following leave plan:

- 26 weeks paid parental leave (full pay)
- 4 weeks career re-entry assistance (full pay)
- Return to work 3 days per week for 5 weeks, utilising remaining 2 weeks (10 days) career re-entry assistance to maintain full time salary
- Full time return to work.

### Partner Leave

Hua's partner (Sam) is also a continuing ANU staff member with more than 12 months service. Sam would like to utilise supporting partner leave immediately following the birth of their child (a single block of 10 days) and the remaining entitlement throughout the period of Hua's paid parental leave (5 days spread over a period of time). Sam and Hua have also decided that Sam will take primary care responsibility for their child when Hua returns to work. Sam discusses their leave plan with their supervisor and provides 10 weeks' notice of the intention to commence leave, noting that:

Hua commenced parental leave 2 weeks prior to the birth of their child and had 30 weeks off work, Hua and Sam's child will have their first birthday 24 weeks from the date Sam intends to commence leave; and

- Sam took the full supporting partner leave entitlement (3 weeks)
- Sam is entitled to 23 weeks primary carer partner leave. If Sam would like to remain off work for the additional one week until the child's first birthday, Sam could choose to utilise annual and/or long service leave accruals (where eligible).

### Primary Carer Partner leave

Kim is an ANU staff member who has been working for ANU for five years. Kim and partner (who does not work at ANU) are expecting a baby by surrogate. Kim will be the primary carer of their child and would like to maximise their time at home with the baby, utilising leave at half pay and taking up to 18 months leave. Kim plans to commence leave when the baby is born, and develops the following leave plan:

- 26 weeks primary carer partner leave (half pay) *which equates to a 52 week absence*
- 2 weeks accrued long service leave (half pay) *which equates to a 4 week absence*
- 22 weeks of parental leave without pay
- Kim is still deciding as to how to utilise the career re-entry assistance (up to 6 weeks paid)

Kim would return to work full time at the end of the parental leave period, which currently is scheduled for 78 weeks.

### Need advice?

HR staff are available to provide advice and support regarding your parental leave plans. Please contact the Human Resources Division team at [parental.leave@anu.edu.au](mailto:parental.leave@anu.edu.au) and you will be allocated a personal consultant to assist you with your leave plans.

## Additional Information & Resources

- [New parents planning checklist](#)
- [Parental Leave procedure](#)
- [www.fairwork.gov.au](http://www.fairwork.gov.au)
- [Government supported Parental Leave pay](#)
- [Keeping in touch days](#)
- [Maternity Leave \(Commonwealth Employees\) Act 1973](#)