

# Parental Leave

## What is Parental Leave?

Parental Leave is leave taken in the instances of:

- An employee giving birth;
- An employee's spouse or de facto giving birth; or
- An employee adopting a child under 16 years of age.

Employees are entitled to 12 months of unpaid parental leave.

## Who is eligible?

All employees are entitled to Parental Leave.

To be eligible for Parental Leave a permanent employee must have:

- Worked for their current employer for at least 12 months
  - Before the date or expected date of the birth (if the employee is giving birth)
  - Before the date of the adoption; or
  - When the leave starts (if the leave is taken after another person cares for the child or takes parental leave)
- Have or will have primary responsibility for the care of a child.

To be eligible for Parental Leave a casual employee must have:

- Been working for their employer on a regular and systematic basis for at least 12 months
- A reasonable expectation of continuing with the employer on a regular and systematic basis, had it not been for the birth or adoption of a child.

Parental Leave entitlements include:

- Maternity Leave

- Paternity & Partner Leave
- Adoption Leave
- Special Maternity Leave
- A right to return to your job

## Notice

Employees should refer to the employee resource section & complete the parental leave form as soon as they wish to apply for leave.

Employees who want to take unpaid parental leave need to give their employer notice that they are taking leave and confirm the dates.

If an employee can't give the appropriate notice (eg. the baby is born prematurely) they will still be entitled to take the leave as long as they provide notice when they can.

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## 10 weeks before starting leave

An employee has to give notice to their employer at least 10 weeks before starting their unpaid parental leave. This notice needs to be in writing, and say how much leave they want to take, including the starting and finishing dates.

If an employee can't give 10 weeks' notice, they need to provide as much notice as possible.

## 4 weeks before starting leave

An employee has to confirm their parental leave dates with their employer at least 4 weeks before they are due to start their leave. If there have been any changes to the dates the employee should tell their employer as soon as possible.

**If an employee can't provide 4 weeks' notice, they need to provide as much notice as possible.**

## **Requesting an extension beyond 12 months**

**An employee who takes unpaid parental leave for their available parental leave period may request their employer to agree to an extension of unpaid parental leave for a further period of up to 12 months immediately following the end of the available parental leave period.**

**An employee must make the request in writing and give it to the employer at the latest 4 weeks before the end of the available parental leave period.**

**An employee is not entitled to extend the period of unpaid parental leave beyond 24 months after the date of birth or day of placement of the child.**