

Staying Connected

A Guide to Parental Leave For Employees and Managers



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The “Guide to Parental Leave for Employees and Managers” booklet has been produced by the Human Resources department, for Monash Health employees.

Organisational policies and procedures are reviewed from time to time, and in order to ensure that you have access to the most current version of this booklet and associated policies, please visit the Human Resources website via the Monash Health Intranet.

If you need any further information regarding the contents of this booklet, please contact your supervisor or the Human Resources Hotline on 9265 2786 and take advantage of the support available to you.

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Foreword

Monash Health recognises that parenting is a life altering responsibility and offers its employees maximum support when embarking on this wonderful and rewarding journey.

The main purpose of this “Guide to Parental Leave for Employees and Managers” booklet is to outline the parental leave entitlements in a simple and concise manner and to promote the principles of equity and flexible working arrangements. The booklet is aimed at assisting staff in preparing for, and returning from, parental leave.

The booklet has been titled “Staying Connected” in an effort to highlight the fact that supervisors and managers play a vital role in supporting staff in all three phases associated with parental leave: the planning whilst at work, the leave – time away and the return to work.

This booklet is to be read in conjunction with the *Fair Work Australia Act 2009*, the Public Sector Industrial Relations Policy Manual 2010 and the relevant Certified Agreements.

For further information please visit the Human Resources website via the Monash Health intranet site.

What is Parental Leave?

Parental Leave is a period of leave that employees are entitled to when they become parents. Parental leave includes paternity, maternity and adoption leave and is a **maximum of 52 weeks** that consist of both paid and unpaid leave.

The minimum entitlements for Parental Leave are stipulated by the National Employment Standards (NES) under the *Fair Work Australia Act 2009*. Additional provisions are detailed in the relevant certified agreements.

Eligibility

Who is eligible to take parental leave?

All full time, part time and eligible casual employees who have a minimum of 12 months continuous service with Monash Health are eligible for parental leave.

If you do not meet this criteria you have the option to apply for a period of leave without pay.

Some certified agreements provide for recognition of previous service in the public health sector in assessing entitlement to Parental Leave. Please refer to your relevant agreement for more information and contact the HR Hotline for further assistance.

For adoption leave to be granted, the child must be under the age of 16 years at the date of placement, must not be the child or step-child of the employee or the employee's partner and must not have been living with the employee continuously for more than 6 months at the date of placement.

How much parental leave can I access?

As the primary care giver of the child, you can take up to 52 weeks of parental leave which comprises both a paid and unpaid portion.

Can I extend my period of parental leave?

An employee taking 12 months parental leave may request an extension of a further 12 months leave (up to 24 months in total), unless they are a member of an employee couple and the other member has already taken 12 months of leave.

The request for extension of parental leave must be in writing and given to your manager **no less than 4 weeks** prior to the end of the employee's initial period of parental leave.

Am I able to take parental leave at the same time as my spouse/partner?

Parental leave is available to one parent at a time in a single unbroken period, except that both parents may simultaneously take:

- for maternity and paternity leave, an unbroken period of up to 1 week paid at the time of the birth and 3 weeks unpaid leave;
- for adoption leave, an unbroken period of up to 3 weeks at the time of the placement of the child.

Parental Leave Provisions

PARENTAL LEAVE ENTITLEMENTS

Type of Leave	Paid Leave	Unpaid Leave	Total Combined paid and unpaid leave
Maternity Leave (Primary care giver)	10 weeks	42 weeks	52 weeks
Paternity/Partner Leave (Secondary care giver)	1 week (able to be taken concurrently with spouse as secondary caregiver)	Up to 51 weeks (if primary caregiver) (Shall be reduced by any maternity leave taken by spouse & cannot be taken concurrently with maternity leave)	Up to 52 weeks
Adoption Leave (Primary care giver)	10 weeks	42 weeks *2 days unpaid pre adoption leave	52 weeks
Adoption Leave (Secondary care giver)	1 week	2 weeks	3 weeks

***Please refer to the relevant Certified Agreement to confirm the amount of paid parental leave you are entitled to.**

Maternity Leave

Maternity leave is available to female employees who are the primary care giver.

Paternity Leave

As the secondary care giver, male employees are entitled to 1 week of paid Paternity/Partner leave, and may request to extend the period of simultaneous unpaid parental leave to a maximum of 8 weeks. This is known as Short Paternity/Partner Leave for employees who are the secondary care giver of the child.

Male employees who will be the primary care giver of the child can access up to 51 weeks in addition to the 1 week paid paternity leave. This is known as Long Paternity Leave.

However, two parents, cannot access leave as the primary care giver at the same time. This is regardless of whether both parents work for Monash Health or not.

Adoption Leave

Adoption leave entitlements are the same as for maternity leave, except that, rather than a date of birth certification from their doctor, a statutory declaration must be provided to state that you are seeking adoption leave to become the primary care-giver of the child and particulars of any period of adoption leave being taken by your spouse. Monash Health may require employees to provide confirmation from the appropriate government authority of the placement.

Personal Illness and Special Maternity Leave

Where the pregnancy of an employee, not yet on maternity leave, terminates other than by the birth of a living child, the employee must give notice as soon as practicable of the taking of leave advising their manager of the period or expected period of leave.

- Where the pregnancy terminates during the first 20 weeks, during notified periods employees are able to access their paid/unpaid personal leave entitlements.
- Where the pregnancy terminates after the completion of 20 weeks, during the notified period employees are entitled to paid special maternity leave not exceeding the amount of paid maternity leave available in their certified agreement and thereafter to unpaid special maternity leave for a period as prescribed by their treating practitioner.
- Where employees not yet on maternity leave are suffering with an illness whether related or not to pregnancy employees may take any paid or unpaid personal leave to which they are entitled to under their certified agreement.

Further Information

Leave prior and following the birth of your child

Employees may commence parental leave at any time prior to the presumed date of birth. However Monash Health may require commencement of leave at any time within 6 weeks prior. A later date of commencement may be approved on receipt of supporting medical advice.

An employee must take a minimum six weeks leave following the date of birth of their baby. An earlier date of return may be approved on receipt of supporting medical evidence.

Unpaid Adoption Leave entitlements

The NES provide an entitlement to unpaid adoption leave of up to 52 weeks duration to care for the adopted child.

Prior to the placement of a child, an employee is entitled to 2 days unpaid adoption leave for the purpose of attending interviews or examinations relating to the adoption application.

Once placement date is established, the secondary care-giver may receive up to 5 days paid leave, to be taken during the period of one week prior to placement date and five weeks post placement.

Paid Parental Leave and Use of other leave entitlements

Employees may use their unused entitlement to annual leave, long service leave and ADOs (Accrued Day Off) to cover all or part of the period of unpaid parental leave. **The combined paid and unpaid parental leave and other leave credits all form the maximum 52 week period.**

E.g. 10 weeks paid parental leave, then 2 weeks annual leave, then 40 weeks unpaid parental leave

Paid parental leave should start at the commencement of the parental leave period. All paid leave must be taken consecutively at the commencement of leave. (This includes the Government paid parental leave).

Applying for Parental Leave

You will need to apply in writing for parental leave by completing the *required documents* which can be found on the Human Resources intranet. This should be submitted to **Human Resources** no less than 10 weeks prior to the intended start date of leave.

The below table outlines the documents required to be completed and submitted to management and Human Resources:

Form of leave	Documents required for approval
Maternity leave	<ol style="list-style-type: none"> 1. Parental leave notification form 2. Medical certificate (stating expected due date) 3. Statutory declaration form stating: <ul style="list-style-type: none"> • Any period of parental leave taken by your spouse • That during parental leave you will not engage in any conduct inconsistent with your contract of employment 4. Leave form 5. Confirmation of parental leave arrangements letter
Extension of parental leave	<ol style="list-style-type: none"> 1. Extension of parental leave request form 2. Leave form 3. Approval of extension of parental leave letter
Short paternity leave (secondary carer – 1 week of paid leave and up to 3 weeks of unpaid leave)	<ol style="list-style-type: none"> 1. Parental leave notification form 2. Medical certificate (stating expected confinement date of spouse) 3. Leave form
Long paternity leave (primary carer)	<ol style="list-style-type: none"> 1. Parental leave notification form 2. Medical certificate (stating expected confinement date of spouse) 3. Statutory declaration form stating: <ul style="list-style-type: none"> • The employee will take a Paternity Leave to become the primary care giver of the child • Particulars of any maternity leave sought or taken by spouse/partner • That for the period of paternity leave that he will not engage in any conduct inconsistent with his contract of employment 4. Leave form 5. Confirmation of parental leave arrangements letter
Adoption leave	<ol style="list-style-type: none"> 1. Parental leave notification form 2. Confirmation Letter from adoption agency/government authority

	<p>confirming day or expected day of placement of a child under 16yrs.</p> <p>3. Statutory declaration form stating:</p> <ul style="list-style-type: none"> • The employee is seeking adoption leave to become the primary care giver of the child • Particulars of any period of adoption leave sought or taken by the employee’s spouse/partner • That for the period of adoption leave the employee will not engage in any conduct inconsistent with their contract of employment <p>4. Leave form</p> <p>5. Confirmation of parental leave arrangements letter</p>
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By completing the *above forms*, employees will have met the above application requirements. Please note that your parental leave documents and therefore payment will not be processed until the above forms are obtained and approved by Human Resources.

Medical certificates and Stat Decs:

- Medical certificates for maternity leave must confirm the pregnancy and the expected date of birth.
- Medical certificates for paternity leave must confirm the spouse’s pregnancy and the expected date of birth.

Please note that you must also provide a statutory declaration form with your application stating the above as defined in the applicable leave type. This is a requirement under all Monash Health employee Enterprise Agreements.

All documentation, including letters issued to the employee by the manager should be submitted to Human Resources for processing prior to the commencement of leave.

Parental Leave Tips for Employees

PREPARING TO TAKE PARENTAL LEAVE

Once you have had your pregnancy confirmed, the following checklist is a basic guide to help you manage the lead up to your parental leave:

- Inform your manager that you will be requiring parental leave.
 - Obtain a current copy of the Parental Leave Procedure on Prompt
 - Check your Parental Leave entitlements in the relevant Certified Agreement.
- Consider any risks to the pregnancy that your position may hold i.e. chemicals.
 - Discuss any concerns with your manager.
- Consider your leave and apply for it within the time frame required.
- If you wish to work beyond the six week point prior to delivery, obtain a medical certificate from your medical practitioner confirming your fitness for duty.
- Provide your manager with a copy of the letter confirming the estimated confinement date or in the case of adoption the date of placement, as soon as available.
- Inform your manager of medical visits and appointments so they may best support you.
- Meet with your manager to discuss:
 - How your job will be managed while you are away
 - Your career development/work plan
 - Your preferred methods for staying in touch while on leave
 - Your plans for parental leave
 - Your return to work options e.g. flexible work arrangements, part-time/job share
- Consider organising your child care needs
- In your last week tidy up your workspace and prepare for handover
- Set up an 'Out of Office' automated response on your Monash Health email
- Arrange for the handover of your Monash Health mobile phone, laptop etc.
- Remember to have a contingency plan should you need to leave work earlier than planned

WHILST YOU ARE ON LEAVE

- Remember to keep your manager and Monash Health updated with any changes to your contact details
- Ensure 2 way communication with your manager
- Consider options available including
 - Returning to work at an earlier date
 - Extending your period of parental leave
 - Flexible work arrangements

RETURNING TO WORK FROM PARENTAL LEAVE

Returning to work after a period of parental leave needs to be well planned for everyone. The following checklist is a basic guide to help you prepare for and manage your return to work.

- Give your manager a courtesy call a couple of months prior to start discussing your return and perhaps set up a time to meet

- Discuss with your manager before you return:
 - Commencement date
 - Hours of work
 - Your role
 - Location
 - Orientation back into the workplace
 - Special requirements e.g. breastfeeding

- Inform your manager formally in writing of your intention to return to work in accordance with requirements
 - If requesting Flexible Work Arrangements, ensure you specify whether you are seeking a temporary request to your existing conditions of employment or permanent change to your employment conditions. Please refer to the Request for Flexible Work Arrangements forms on the Intranet.

- Confirm child care plans

FREQUENTLY ASKED QUESTIONS for employees

What leave can I take for any pre-natal appointments?

Employees are encouraged to make appointments outside of their normal work hours. However, where appointments are only available during an employee's normal work hours employees are able to use Carer's Leave upon production of satisfactory evidence of such appointment. Employees must provide appropriate notice to their manager for such appointments.

What happens if I have a premature birth?

You will be granted your agreed leave at an earlier date.

What happens if my pregnancy does not result in the birth of a child?

Where the pregnancy of an employee terminates at, or beyond 20 weeks or results in the birth of a still-born child, employees are entitled to paid and unpaid leave on the same basis as maternity leave. This is called Special Maternity Leave.

Can I elect to receive my paid parental leave provisions at half pay?

Yes, paid maternity and adoption leave can be taken at half pay.

What happens to my leave accruals while I am away?

Leave will accrue only on the paid components of your leave period. Leave will not accrue on unpaid leave.

What happens to my increment while I am away on leave?

Normal incremental advancements within salary classifications shall continue during the initial period of parental leave providing the employee meets the criteria in line with the relevant certified agreement and award requirements. Incremental progression will not occur in any extended period of leave without pay. Increments will be reviewed upon return from leave.

What should I do about my salary packaging?

Employees should contact **Maxxia** to determine how their salary packaging arrangements will be impacted by their parental leave.

Employees are responsible for making arrangements for the continued payment of standard deductions and packaged benefits which are normally automatically taken from your pay. (e.g. private health insurance, credit union loans, etc.)

Employees should contact Maxxia prior to their return to work, should they wish to start Salary Packaging again.

Maxxia Tel: 1300 735 363.

What happens to my motor vehicle lease payments while on parental leave?

If you have an operating or novated lease vehicle you will need to make arrangements for the payment of your lease for any period of leave without pay.

Can I work whilst on paid or unpaid parental leave?

Monash Health does not advise you work elsewhere whilst on paid and/or unpaid parental leave.

Tax implications as well as breaching Government Paid Parental leave provisions are potential risks for working whilst on parental leave.

When you are ready to return to work, please be aware Monash Health may be able to support a request for flexible working arrangements. For further information please refer to page 10.

Can I keep my mobile phone, laptop or other equipment while away on parental leave?

All Monash Health equipment such as mobile phones and laptop computers are to be returned to your manager before commencing parental leave.

FAQs (cont'd)

What happens if my maximum term contract of employment expires during the period of parental leave?

If your maximum term contract expires during your parental leave you will not be eligible for further paid or unpaid leave unless you are re-employed on a continuing or further maximum term contract.

What happens if my workplace is restructured while I am on parental leave?

If a restructure is proposed, you will be treated in the same way as other employees within the affected work unit. This means that your manager will contact you about the proposed restructure to involve you in the consultative process and to explain any effects this may have on your position.

Do I need to do anything about my superannuation/life cover?

Health Super Fund will continue your life cover even while you are on unpaid leave. **HESTA** will continue your death and disability cover provided they are notified that you are on unpaid leave. Please contact your superannuation provider for more information.

Does taking parental leave affect my professional registration?

Remember to keep any professional registration current, if you let it lapse you must contact the relevant professional body and apply for re-registration. This can take up to four weeks and may delay your return to work.

Returning to Work

What happens when I want to return to work?

It's a good idea to give your manager a courtesy phone call regarding your intention to return to work. You may also raise the possibility of an alternative return date should your circumstances or preferences change.

Once you return to work in any capacity your parental leave period ceases. Unfortunately once you have returned you cannot change your mind.

How much notice do I need to give to return to my pre-maternity/adoption leave position?

No less than **4 weeks written notice** is required by employees planning to return to their substantive parental leave position.

The Department Head/Manager will confirm your return to work arrangements in writing and notify Payroll Services of your return to work, by completing an *e-variation form* and forwarding it together with the appropriate correspondence.

You are entitled to resume the position you held immediately prior to proceeding on maternity/adoption leave. Where no such position exists, but there are other positions available for which you are qualified and capable of performing, you will be entitled to a position as nearly comparable in status and pay to that of your former position.

What happens if I want to return part-time or request Flexible Work Arrangements?

The National Employment Standards allow you the right to request to return to work at reduced hours until your child is of school age (Flexible Work Arrangements). This request for Flexible Work Arrangements must be provided in writing, **no less than 7 weeks** prior to your intended return date.

Flexible Work Arrangements are negotiable with your manager and Monash Health will consider all requests giving consideration to operational requirements. Employees may need to be flexible in considering alternative roles or work at different sites to meet your needs. Monash

Health does not hold an obligation to abide by your request for flexible work arrangements.

Approval of Requests for Flexible Work Arrangements will result in a change in your employment conditions and employees will be asked to sign a new employment contract.

Refer to flexible work arrangements forms on page 13 to apply for flexible return to work arrangements.

What opportunities are there for job-sharing?

Job-sharing is an arrangement by which two or people share a single job. Each person works part-time on a regular, on-going or fixed-term basis. In some instances the tasks of the job are divided between the employees. In other instances the job-sharers perform the same tasks. The feasibility of job-share arrangements will be contingent on:

- The nature of the position concerned;
- Whether the duties of the position can be legitimately shared without detriment to the area's activities;
- Where the position is located; and
- The availability of someone else to work on a part-time basis in a sharing arrangement with you.

If you have a job-sharing proposal which appears viable, please discuss initially with your Manager or Department Head.

Can I continue to breastfeed?

Monash Health will seek to provide flexible work arrangements to support employees who wish to continue to breastfeed upon their return to work.

There is a dedicated staff breast feeding/expressing room at Monash Medical Centre Clayton, located next door to the staff amenities room on level one. Please contact your site manager for any suitable facilities at other Monash Health sites.

What happens if I decide to resign from my employment?

In the situation where you decide to resign from your employment, normal periods of notice shall

apply and you will need to provide your resignation in writing to your manager by providing the appropriate notice period.

What childcare options are available?

Kanooka Child Care Centre is a fully accredited centre that gives priority of access to Monash Health employees. For further information on the Centre, or to have a visit, please contact the Children's Services Business Manager on 9544 9010. For child care options in other areas please contact your local council.

What support is available if I would like to talk to someone about returning to work?

Personal – EAP:

People Assist is Monash Health's Employee Assistance Program (EAP), an independent confidential and professional counselling service available to employees of Monash Health. Phone 9529 6600 or 1800 350 359.

Professional/Workplace:

Contact Human Resources on 03 9265 2786 or your manager.

Specific Information for Supervisors and Managers

Supervisor/Manager Responsibilities

As a supervisor or manager you play an important role in supporting staff in managing their parental leave requirements. An important part of your role is:

- Be informed about the Monash Health's policies and processes surrounding parental leave.
- Be available to talk to staff about their options and entitlements.
- Assess any OH&S risks that might arise as a result of the pregnancy of a staff member.
- Obtain information pertaining to intended leave e.g. dates, duration, and certification.
- Put in place suitable arrangements to cover parental leave absences.
- "Stay in Touch" with staff during periods of parental leave.
- Assist the staff member with planning for a smooth return to the workplace from leave.

One of my staff has told me that they are pregnant. What do I do?

At an appropriate time you should meet with the staff member to discuss with them their leave and return to work intentions so that you can make arrangements to cover their absence and assist in their return to the workplace.

Planning for covering the position during your employee's absence is important and you should allow adequate time to identify someone to back fill the position and consider different options for a replacement.

What happens if the job may be a risk to the pregnancy?

Discuss this with the employee and perform specific task risk assessments. It may be that small accommodations need to be made, or in some instances a lower risk position sought. It may also be that medical advice is required and you should ask your staff member to obtain a letter from their medical practitioner confirming their fitness for duty.

Contact Human Resources for more detailed information on managing pregnancy related OH&S risks.

What if it's not safe for a pregnant employee to do her usual job?

If it's not safe for a pregnant employee she will need to be transferred to an appropriate 'safe' job. If transferred, she's entitled to the same rate of pay and ordinary hours as her present job, or different hours by agreement.

The employee must provide her employer with reasonable evidence that she can work, but can't perform her usual job. The employer may require the evidence to be a medical certificate.

Contact Human Resources for further assistance.

"Staying Connected" with employees on leave.

You should invite staff on leave to morning teas, Christmas lunch or farewells. By "Staying Connected" employees on leave still feel part of the work team and it makes returning to work after an extended absence a much smoother process.