



# Parental Leave Policy And Procedure

Procedure Number  
WCDHB-HR-0025

Version Nos:  
**3**

## 1. Policy Statement

The WCDHB recognizes and is committed to the philosophy of the Parental Leave and Employment Protection Act 1987. This act prescribes minimum entitlements to parental leave – which includes **maternity leave, partner's/paternity leave** and **extended leave** – for both male and female employees.

Eligible employees are entitled to parental leave of up to 52 weeks (refer to parental leave guide appendix) and can normally expect to return to the position they left. In the case of both partners being employed by the WCDHB, this parental leave can be shared between the two, either consecutively or concurrently. Parental leave cannot be extended beyond 52 weeks with one exception (s9).

All annual leave entitlements will be paid out prior to commencement of parental leave. If the employee fails to give 21 days' notice of their intent to return to work, they will be deemed to have abandoned employment. If an employee fails to return to work at the end of his / her parental leave or informs the manager that they have decided not to return to work, the employee's employment will be deemed to have been at an end as from the day on which the period of parental leave was meant to cease.

Paid Parental leave is available to female employees of up to 14 weeks if the employee meets the eligibility criteria (refer to parental leave guide appendix) through the Department of Labour. This is a transaction that occurs between the employee and the Department of Labour, although WCDHB has an obligation to complete the necessary forms to enable the employee to apply for the paid parental leave benefit.

Certain Collective Agreements do make provision for the payment of a lump sum benefit following 6 months work after returning from parental leave.

## 2. Purpose

The purpose of this Policy and Procedure is to ensure that Parental Leave is granted in accordance with the Parental Leave and Employment Protection Act 1987 and individual and collective employment agreements. Parental Leave will be managed by WCDHB to ensure job protection and ongoing service delivery.

## 3. Application

This Procedure is to be followed by all staff throughout WCDHB.

## 4. Definitions

For the purposes of this Procedure.

- Parental leave:
- Means maternity leave to which an employee is entitled,
  - Paternity leave to which an employee is entitled, and
  - Extended leave to which an employee is entitled.
  - Includes rights and benefits in the nature of any of the kinds of leave to which an employee is entitled.



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### 5. Responsibilities

For the purposes of this Procedure:

the **Relevant Manager** is required to:

- Ensure that the employee sends written acknowledgement of their intention to take parental leave ( refer to employee requirements).
- Once the letter is received they have seven days in which to ask for any required information that has not been provided.
- The employee must provide this information within 14 days.
- Once the information is received the manager has 21 days to reply.
- Check the employee's service for eligibility purposes.
- Determine whether the position is a key position and will need to be permanently filled or can be filled through a fixed term appointment.
- The manager cannot exercise the right of determining a position is a 'key position' for parental leave of a duration of 4 weeks or less.
- If a position is determined to be a key position the manager must discuss this with the HR Advisor and General Manager. Human Resources will ensure the appropriate communication is sent to the employee.
- Ensure that when parental leave is approved, the provision of services they are responsible for is maintained.
- Send the employee's request for parental leave and medical certificate to human resources. This letter must be signed by the manager confirming that they approve of the requested time or must be accompanied by a separate memo directed to human resources.

the **Human Resources Department** is required to:

- Provide advice, information and education regarding contractual and legislative requirements so that Managers can fulfil their responsibilities.
- Send a confirmation of the approved parental leave to the employee, with a copy to Payroll and the Manager. This letter must be sent out at least within 21 days of the employee commencing parental leave.

the **Payroll Department** is required to:

- Maintain parental leave records.
- Complete the "Employer" portion of the Department of Labour's IR 880 form (Paid Parental Leave Application). This form can be sourced from the Department of Labour, Maternity Services Providers or the Human Resources Department.

the **Employee** is required to:

- provide their Manager with three month's written notice that they wish to take parental leave (21 days notice is also required regarding the specific dates they wish to start this parental leave if it is less than six weeks before the expected date) This letter needs to state:
  - What type of leave they want to take
  - When they plan to start their leave
  - The period of leave they intend to take

If they are sharing any part of their leave with their spouse/partner, the letter must also state:



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- The dates on which they and their spouse/partner plan to start and finish each period of leave
- Their spouse/partner's name, and, if they are an employee, the name and address of their employer
- That they are both eligible for the leave they are applying for
- That the total amount of leave they are taking will not be more than their maximum entitlement – 14 or 52 weeks depending on whether they have a six or 12 month qualifying period.
- Provide their Manager with a certificate from a registered medical practitioner/midwife.
- Request the Payroll Department to complete the "Employer" portion of the Department of Labour's IR 880 form (Paid Parental Leave Application if applicable)
- In terms of returning to work the employee must provide 21 days notice of their expected return to work date.

### 6. Resources Required

This Procedure requires no specific resources.

### 7. Process

- 1.00 The employee must apply in writing no less than three months before the expected date of delivery (refer to requirement of employees above). The application must be accompanied by a certificate from a Registered Medical Practitioner/Midwife certifying that the female employee (or the male employee's partner/spouse) is pregnant and stating the expected date of delivery.
- 1.01 The Manager must ensure eligibility and approve (or otherwise) parental leave and make the necessary arrangements (refer to Manager's responsibilities above).
- 1.02 The Manager must send the employee's request in writing to the Human Resources Department with an indication of their acceptance (or otherwise) of the parental leave request.
- 1.03 The Human Resources Department will convey the decision in writing to the employee and will ensure that the Payroll Department and Manager is provided with a copy of this notification.

### 8. Precautions And Considerations

- ➔ All applications for parental leave are to be made to the relevant Manager, accompanied by the necessary documentation (including medical certificate).
- ➔ Notification is to be sent to the Payroll Office who will record the details accordingly.

### 9. References

Parental Leave and Employment Protection Act 1987 (and subsequent amendments).

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## 10. Related Documents

WCDHB Leave Application Form

Department of Labour Form IR880 (Paid Parental Leave Application)

<b>Revision History</b>	<b>Version:</b>	3
	<b>Developed By:</b>	Corporate Services: HR
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