



University of
South Australia

Parental Leave Procedure

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APPLICATION

This procedure applies to continuing and fixed-term senior staff employed in accordance with:

1. The University of South Australia Senior Staff Collective Agreement 2006; and
2. Senior Staff employed pursuant to an Australian Workplace Agreement (AWA) where a reference to this procedure is specifically referred to in the AWA.

OVERVIEW

This procedure reflects the preferred practice of the University and provides a guide to the application and management of Parental Leave.

The University of South Australia is committed to creating a family friendly work environment where the breadth of senior staff members' lives is acknowledged and their family responsibilities are supported to enable them to participate fully in the University. This procedure is used to assist senior staff in taking leave related to parenting, including pre-natal, post-natal, maternity, adoption, partner, foster parent and child rearing leave.

DEFINITION

Parental Leave

Leave that relates to a senior staff member's parenting responsibilities including maternity, adoption, pre-natal, post-natal, foster parent, partner and child-rearing leave where applicable under this procedure.

PROCEDURE

1. ELIGIBILITY

All full-time and part time continuing and fixed-term contract senior staff members who become pregnant or adopt a child of under five (5) years age shall be entitled to the various entitlements in this Procedure. However a fixed term contract senior staff member's entitlements in this Procedure ceases from the date of termination of the contract, unless the senior staff member is re-employed on a continuing basis or on a further fixed term contract.

2. ENTITLEMENTS

2.1. Pre-Natal Leave

One (1) day's leave per month, at full pay, during the final six (6) months of the pregnancy, up to a maximum of six (6) days, to attend appointments associated with her pregnancy, up until the commencement of maternity leave.

2.2. Post-Natal Arrangements

A senior staff member who is breastfeeding shall be entitled to reasonable breaks in paid time for lactation purposes. Clean, private space will be provided, where practicable, to breast feeding senior staff members during these breaks for the purpose of expressing milk.

2.3. Maternity Leave - Unpaid

A senior staff member who becomes pregnant is entitled to up to fifty two (52) weeks unpaid maternity leave (inclusive of any period of paid maternity leave).

2.4. Parenting Leave – Unpaid

A senior staff member exercising parental responsibilities who is not the birth mother is entitled up to fifty two (52) weeks unpaid paternity leave.

2.5. Adoption Leave - Unpaid

A senior staff member who adopts a child under five (5) years age is entitled to a period of up to fifty two (52) weeks unpaid adoption leave (including any period of paid adoption leave).

2.6. Paid Maternity/Adoption Leave

2.6.1. A senior staff member with twelve (12) months or more continuous service prior to the expected date of birth or adoption shall be entitled to sixteen (16) weeks at 100% of their ordinary rate of pay, plus twelve (12) weeks at 50% of their ordinary rate of pay.

2.6.2. A senior staff member with less than twelve (12) months continuous service prior to the expected date of birth or adoption shall, for each month of continuous service, be entitled to one (1) week at 100% of the ordinary rate of pay plus one (1) week at 50% of their ordinary rate of pay.

2.6.3. For part-time senior staff members, the paid portion of the leave will be paid at the proportionate fractional rate of pay.

2.7. Special Maternity and Adoption Leave

2.7.1. If maternity or adoption leave has commenced, or has been applied for but not commenced and:

- i) In the case of maternity leave, the pregnancy of the senior staff member terminates other than by the birth of a living child; or
- ii) The senior staff member's child dies during the period that the senior staff member is on leave; or
- iii) In the case of adoption leave, the child dies during the period that the senior staff member is on leave,

The senior staff member shall be entitled to sixteen (16) weeks paid leave at 100% of the standard rate of pay applicable to the senior staff member (less any paid leave already taken or paid) and a further period of unpaid leave up to a maximum of twelve (12) weeks.

2.7.2. Further leave may be granted as special leave without pay subject to managerial determination on a case by case basis.

2.7.3. Where partner leave has commenced and the child dies during the period that the senior staff member is on leave, the senior staff member shall be entitled to

up to ten (10) days unpaid leave or such longer period as may be certified by a medical practitioner up to a maximum of four (4) weeks, in addition to any period of compassionate leave.

- 2.7.4. Where child rearing leave has commenced and the child dies during the period the senior staff member is on child rearing leave, the senior staff member shall be entitled to fourteen (14) weeks unpaid leave or such longer period as may be certified by a medical practitioner up to a maximum of fifty two (52) weeks, in addition to any period of compassionate leave.

2.8. Phased In Return to Work

Upon return to work after maternity/adoption/child rearing leave, the senior staff member may work a reduced fraction, (0.6 for a full-time senior staff member) and be paid the full-time salary for a period of eight (8) weeks. For a part-time senior staff member, this eight (8) week period will be on a pro rata basis.

2.9. Partner Leave

A senior staff member who submits a certificate from a registered medical practitioner of their partner's pregnancy, or a certificate of adoption, shall be entitled to ten (10) working days paid leave, non cumulative.

2.10. Foster Parent Leave

Subject to a senior staff member providing appropriate documentation confirming that they are acting as the primary care giver of a foster child, the senior staff member will be entitled to six (6) weeks leave on half pay if the child is younger than five (5) years or three (3) weeks on half pay if the child is five (5) years or over.

2.11. Child Rearing Leave

In addition to maternity/adoption leave, a further fifty two (52) weeks child rearing leave without pay shall be made available to a senior staff member for the care of a pre-school age child, up to the age of six (6) years, of whom the senior staff member is a parent (including an adopted child) or is exercising parental responsibilities.

2.12. Resumption of Duty

2.12.1. A senior staff member who returns to duty after absence on maternity/adoption/child rearing leave shall:

- i) Unless agreed otherwise with the senior staff member, return to the position which they occupied immediately prior to such an absence. The senior staff member may negotiate a return to work on a fractional time basis. The University shall not unreasonably withhold agreement to return work on a fractional time basis.
- ii) In the event that the position they occupied immediately prior to such absence is not available due to reorganisation of the work unit, they shall be appointed to a position equivalent in status and salary scale to the position formerly occupied. The location of that position shall be one which is mutually agreed between the senior staff member and the University.

RESPONSIBILITIES AND/OR AUTHORITIES

Immediate Supervisor

The immediate supervisor is responsible for facilitating the management maternity, adoption and child rearing leave in accordance with this procedure.

Senior Staff Member

All senior staff members are expected to manage their maternity, adoption and child rearing leave in accordance with this procedure.

The Human Resources Unit

The Human Resources Unit is responsible for the development and continuous improvement of this procedure.

FURTHER ASSISTANCE

Management and staff may seek further advice from:

- Their immediate supervisor
- The designated HR officer/coordinator for their area.
- The Human Resources Unit
- The Parental Leave Website: <http://www.unisa.edu.au/hrm/equity/parental-leave>

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