

Parental Leave - Operational Policy

1. Purpose of the policy

The following policy recognises that parental leave is a basic necessity to achieve equality in the workplace and for staff to reconcile their work and family responsibilities.

The policy provides eligible staff with access to parental leave when they become a significant or primary carer for a new child. This policy is implemented in accordance with the principles of equal opportunity and the University will not refuse employment or disadvantage a staff member on the grounds of pregnancy, possible pregnancy, a request for parental leave or a possible request for parental leave.

2. Policy scope and application

This policy applies to all staff of the University.

3. Definitions

Please refer to the University's Glossary of terms for policies and procedures. Terms and definitions identified below are specific to this policy and are critical to its effectiveness:

Child means a newly adopted child or newly fostered child between 1 and 5 years of age except where the staff member is able to demonstrate a special need to care for an older child.

Eligible Staff means all staff who have completed 12 months continuous service, excluding casual staff.

New Child means a new baby, newly adopted baby or newly fostered baby up to one year of age.

Primary Carer is a staff member who has full-time responsibility for the day-to-day care of a new child or child. This can include a fostering arrangement that is intended to be long-term or when a staff member has recently become a guardian where the guardianship is intended to be long-term.

Significant Carer is a staff member whose partner has become a primary carer of a new child.

4. Parental Leave

Parental leave is available to eligible staff as paid leave, unpaid leave or a combination of both to a maximum of 52 weeks when they become a significant or primary carer for a new child.

The period of parental leave is reduced by any amount of paid or unpaid parental leave taken by a spouse for the primary care of the same child.

A staff member who is a primary carer for a new child or child may request an additional 12 months unpaid parental leave at the conclusion of their initial period of parental leave.

Parental leave is an individual entitlement and there is no restriction on the number of times a staff member can take such leave.

A period of paid parental leave will count as service for the accrual of leave entitlements.

A fixed-term or casual appointment will not be extended to accommodate a period of parental leave. Paid parental leave will not be paid beyond the end date of a fixed-term appointment.

Casual staff members are entitled to unpaid Parental Leave if they have been employed on a regular and systematic basis for at least twelve months, and there is a reasonable expectation that this will continue.

The Cost Centre Manager and a staff member may, by mutual agreement, suspend a probationary period if a period of parental leave occurs during the probationary period.

APPROVAL AUTHORITY

Vice-Chancellor and President

RESPONSIBLE EXECUTIVE MEMBER

Chief Operating Officer

DESIGNATED OFFICER

Director, People and Culture

FIRST APPROVED

6 December 2005

LAST AMENDED

16 February 2022

REVIEW DATE

7 December 2022

STATUS

Active

A staff member on parental leave may apply for appointment to a vacant position, promotion and staff development opportunities including professional development programs and will not be denied appointment or access solely on the basis of being on parental leave.

Staff on paid parental leave who make compulsory superannuation contributions will continue to pay employee contributions and the University will continue to pay employer contributions during the period of paid leave.

5. Types of Parental Leave

Eligibility: Staff who have completed twelve months service, excluding staff appointed on a casual basis. Fractional staff will be eligible on a proportionate basis.

| TYPES OF PARENTAL LEAVE | PURPOSE OF THE LEAVE | MAXIMUM DURATION | PAID (PRO RATA FOR FRACTIONAL STAFF) / UNPAID |
|--------------------------------|---|--|---|
| Paid Parental Leave | To be the primary carer of a new child. | 26 weeks | Paid |
| Adoption Leave (Category A) | To be the primary carer of a new child (up to 1 year of age). | 26 weeks | Paid |
| Partner Leave | To be the significant carer of a new child. | 10 days | Paid |
| Adoption Leave (Category B) | To be the primary carer of a child (between the ages 1 and 5 years) | 13 weeks | Paid |
| Unpaid Parental Leave | To be the primary carer of a new child. | 52 weeks (inclusive of any paid parental leave) | Unpaid |

6. Return to Work

Staff returning from parental leave will normally return to the position occupied immediately prior to commencement of leave. When this is not possible, the staff member will be offered another comparable position with no loss of salary, tenure or classification. Negotiations on an alternative position will occur between the staff member, relevant supervisor and relevant Cost Centre Manager.

Staff may request to return to work on a fractional basis up until the child reaches school age. Approval will depend on the requirements of the work area and the University and the mutual agreement of the Cost Centre Manager, supervisor and staff member.

Paid parental leave is granted on the understanding that the staff member will return to work at the end of the leave period for a minimum period equivalent to the period of leave.

7. Unplanned Cessation of Parental Leave

If parental leave has commenced, or has been applied for but not commenced, and the pregnancy of the staff member terminates other than by the birth of a living child after the 20th week of pregnancy, or upon the death of the child during the period of leave, then the staff member will be entitled to the full period of approved parental leave. In addition, the staff member may apply for unpaid leave up to a maximum of 52 weeks, if certified by a medical practitioner.

If long-term unpaid parental leave has commenced, and the staff member's child dies during the period of leave, then the staff member may apply for unpaid leave up to a maximum of 52 weeks, if certified by a medical practitioner.

END

RELATED DOCUMENTS

- Anti-Discrimination and Freedom from Bullying and Harassment - Governing Policy
- Equity, Diversity and Inclusion - Governing Policy
- Parental Leave - Procedures

LINKED DOCUMENTS

- Parental Leave - Procedures

RELATED LEGISLATION / STANDARDS

- University of the Sunshine Coast Enterprise Agreement