

PRO-RATA PAID PARENTAL LEAVE PROCEDURE

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1. OVERVIEW

The University is committed to contemporary and flexible employment practices and providing paid parental leave for fixed-term and continuing staff members irrespective of their length of service with the University.

This procedure provides staff who have been employed with the University for less than 12 months' access to paid parental leave entitlements.

2. SCOPE AND APPLICATION

This procedure applies to all full-time and part-time fixed-term and continuing staff members who have been employed at the University for less than 12 months and require leave for the birth or adoption of a child (reasons as specified in table 4.4).

It provides access on a pro-rated basis to the paid parental leave types in clause 4.5.2 of the University of Adelaide Enterprise Agreement (as amended) ("Enterprise Agreement") as specified.

This procedure does not apply to casual staff members.

3. PRINCIPLES

This procedure mirrors the types of paid parental leave and entitlements provided in clause 4.5.2 of the Enterprise Agreement and provides entitlements relating to maternity leave, adoption leave, special paid parental leave, shared parental leave, concurrent partner leave, and paid maternity leave for late pregnancy miscarriage or stillbirth.

Unless otherwise stated in this procedure, the entitlements are subject to the eligibility rules and requirements specified in the relevant Enterprise Agreement clause reference for paid parental leave. Refer to table 4.4.

Staff should discuss their application, the timing and duration of the parental leave with their supervisor as early as possible.

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4. PROCEDURES

4.1 Eligibility

This procedure applies to fixed-term and continuing staff who have been employed at the University for a period of continuous service of less than 12 months.

Service is considered continuous where breaks in service do not exceed 8 weeks.

Continuous service is calculated from the date of commencement of employment up until the expected date of birth or placement of the child or the date on which the staff member becomes the primary carer of the child.

Entitlements will be pro-rated at a rate of two (2) weeks paid leave for up to each month of continuous service. The entitlement is specified in the table in 4.2 (below).

4.2 Entitlement Table

Period of eligible continuous service	Entitlement (Paid weeks)
Less than 1 month	2
1 month and less than 2 months	4
2 months and less than 3 months	6
3 months and less than 4 months	8
4 months and less than 5 months	10
5 months and less than 6 months	12
6 months and less than 7 months	14
7 months and less than 8 months	16
8 months and less than 9 months	18
9 months and less than 10 months	20
10 months and less than 11 months	22
11 months and less than 12 months	24
12 months or more	26 weeks as per clause 4.5.2 of the Enterprise Agreement

The [Parental Leave Calculation Tool](#) can assist staff to calculate their entitlement to paid parental leave.

4.3 Application

To receive paid parental leave, a completed parental leave application form signed by both supervisor and Head of School/Branch must be submitted to payroll for processing at least six (6) weeks prior to the commencement of leave.

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4.4 Types of Paid Parental Leave

A staff member eligible for pro-rated paid parental leave under this procedure may apply for the relevant type of leave specified in the table below, subject to satisfying the requirements specified in the table for the type of paid parental leave. Where there is a minimum leave requirement, the staff member must take other paid or unpaid leave to ensure the minimum leave period is taken.

Type of Paid Parental Leave	Available to	Entitlement and explanation / application	Requirements - Enterprise Agreement clause
Maternity Leave	Birth mother of the child	As set out in table 4.2	4.5.2.1
Adoption Leave	A staff member who will be the primary carer of a child aged five (5) years or less placed for adoption with the staff member.	As set out in table 4.2	4.5.2.3
Special Paid Parental Leave	A staff member: <ul style="list-style-type: none"> – Not otherwise eligible for paid maternity leave or paid adoption leave; and – Who becomes the primary carer of a child less than one (1) year of age 	The Head of School will be guided by the entitlements set out in table 4.2	4.5.2.4
Shared Paid Parental Leave	Employee couples where the birth mother at the time of the birth or adoption of the child has completed more than seven (7) months continuous service.	As set out in table 4.2 shared between both parents. Available after the birth mother/primary carer has more than seven (7) months continuous service.	4.5.2.5
Concurrent Partner Leave	<ul style="list-style-type: none"> – Biological father of a child – Partner of the birth mother – Adopting parent – Partner of an adopting parent – Parent in a surrogacy arrangement – Partner of a parent in a surrogacy arrangement: or – Same sex partner of the child's birth mother, biological father or adopting parent. The staff member must not be the primary carer of the child.	Up to 10 days paid leave. No length of service requirement.	4.5.2.6
Maternity leave on late pregnancy, miscarriage or still birth	Mother of the child where they are eligible for maternity leave and have a medically defined late pregnancy miscarriage or still birth	Up to seven (7) weeks calculated from the date of the miscarriage or still birth. No length of service requirement.	4.5.2.2

To receive paid parental leave, a completed parental leave application form signed by both supervisor and Head of School/Branch must be submitted to payroll for processing at least six (6) weeks prior to the commencement of leave.

4.5 Payment

Eligible staff will be paid at the ordinary rate of pay they received on the last day of duty prior to commencing paid parental leave (pro-rata for part-time staff members).

Staff may apply to take paid maternity/adoption/special paid parental leave at half pay.

If a staff member resigns or their fixed-term employment ends during paid parental leave, the staff member will not be entitled to payment of the remaining balance.

The return-to-work option specified in clause 4.5.4 of the Enterprise Agreement does not apply to staff with less than 12 months of continuous service.

The University will continue to pay employer superannuation contributions during periods of paid parental leave. If taking paid parental leave at half pay, employer superannuation contributions will be made at the partial paid rate.

4.6 Unpaid Parental Leave

Staff members who are entitled to pro-rated paid parental leave are also entitled to unpaid parental leave to meet the requirement to take a minimum of 14 weeks of maternity leave or adoption leave.

Additional unpaid leave, up to a maximum of 52 weeks leave, may be approved at the discretion of the University on the recommendation of the staff member's supervisor.

Any period of unpaid leave that exceeds 21 consecutive working days will not count as service with the University for the purpose of accrual of an entitlement to annual leave, personal leave, long service leave or any other benefit, but will be deemed not to have broken the staff member's continuity of service.

5. DEFINITIONS

Continuous service: means employment where there has been no break in employment or term of engagement for a period of more than eight (8) weeks.

Employee couple: means two (2) staff members who are either the spouse or de factor partner of the other.

Supervisor: the person who is responsible for the day-to-day supervision of a staff member as nominated by the University.

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6. RELATED DOCUMENTS AND POLICIES

University related documents and policies

[University of Adelaide Enterprise Agreement \(as amended\)](#)

[Workforce Management Policy](#)

[Health, Safety and Welfare Handbook](#)

[Voluntary Flexible Work Arrangements Procedure](#)

[Parental Leave Application Form](#)

[Shared Parental Leave Application Form](#)

[Parental Leave Calculation Tool](#)

Related legislation

[Fair Work Act 2009](#) (Cth)

[National Employment Standards – Fair Work Ombudsman](#)

Useful web-links

[Parental Leave FAQs](#)

[Federal Government Paid Parental Leave Scheme](#)

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