



Paid Parental Leave and Dad and Partner Pay: Information from your union.

Unions win paid parental leave for all working families.

Australian unions first won working mothers a right to 12 months unpaid maternity leave in 1979. After more than 30 years of campaigning, working parents will now get 18 weeks Paid Parental Leave (PPL) and 2 weeks Dad and Partner Pay (DaPP).

What is the paid parental leave entitlement?

PPL provides all eligible primary carers of babies with 18 week's pay at the Federal Minimum Wage (currently \$606.40 per week or \$10,915 in total). Primary carers must have the primary responsibility for the care of the baby.

The paid parental scheme now also includes 2 weeks Dad and Partner Pay

In 2012, eligible parents will also be able to claim 2 weeks Dad and Partner Pay (DaPP) for secondary carers at the Federal Minimum Wage. DaPP is available for the biological father, partner of the child's birth mother (including same sex partner) or adoptive parent and can be taken at the same time as the primary carer is on PPL. You cannot save up or cash out DaPP and the payment cannot be taken at the same time as any other paid leave.

Eligibility

To be eligible for the government PPL or DaPP Scheme, you must have completed at least 330 hours work (1 day per week) for 10 months in the 13 months prior to birth. This includes casuals, contractors and self-employed workers. The payment is a flat rate of \$606.40 per week irrespective of what your hours of work were prior to taking PPL or DaPP.

Primary care givers individually earning more than \$150,000 in the financial year prior to the date of birth or adoption are ineligible for PPL or DaPP.

Parents who don't meet the minimum work requirements outlined above may still be eligible for the Baby Bonus.

Australian Unions



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better life.**

For more information call your union or the Unions Australia hotline on **1300 486 466** or visit **www.actu.asn.au**

More details about the new Paid Parental Leave Scheme are outlined overleaf or you can visit the FaHCSIA website **www.fahcsia.gov.au**



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WHEN CAN I TAKE THE GOVERNMENT PPL OR DAPP?

Paid Parental Leave (PPL) and Dad Partner Pay (DaPP) must be taken after the birth or adoption of the child and within 12 months of that event. A parent can access DaPP at the same time as their partner takes PPL. Paid parental leave may also be transferred from a primary carer to another parent who becomes the primary carer. However a parent taking DaPP and then PPL can only claim a total of 18 week's pay.

WHAT HAPPENS TO THE PAID PARENTAL OR SECONDARY CARER'S LEAVE PROVIDED BY MY EMPLOYER?

Many workplace agreements already provide for PPL. PPL is often called maternity leave and secondary carer's leave is often called paternity leave in workplace agreements. The government intends that the new PPL and DaPP payments are **in addition** to any paid parental leave or secondary carer's leave entitlements already provided by your employer.

This means **employers cannot withdraw** any paid parental leave or secondary carer's leave in an existing workplace agreement and **must not** use the new Government payment to replace your employer provided paid parental leave or secondary carer's entitlements. If your employer tries to cut or change existing schemes to disadvantage workers, contact your union or the Unions Australia hotline on 1300 486 466.

THE BABY BONUS

PPL recipients are not entitled to the tax-free baby bonus or Family Tax Benefit B. Parents eligible for the government scheme may elect to receive the Baby Bonus instead of paid parental leave if it is more beneficial for them to do so. A calculator to assist parents to calculate whether the baby bonus or parental leave scheme best suits them is available on the Family Assistance Office website.

HOW DO I APPLY FOR PPL OR DAPP?

Employees are responsible for making the application to the Family Assistance Office. You may apply for a preliminary determination from the Family Assistance Office that you are eligible for PPL or DaPP. Once your baby is born you need to verify the birth and then your PPL or DaPP payments can commence.

WHEN CAN I APPLY FOR THE NEW DAPP PAYMENT?

The DaPP scheme will be implemented from 1 January 2013 for babies born or adopted after this date. Parents can apply for DaPP 3 months before the expected date (October 1 2012 at the earliest).

HOW DO I RECEIVE MY PPL OR DAPP ENTITLEMENT?

The Government provides the PPL payment to the employer to pass on to employees through their existing payroll system. If you have not been employed with the employer for more than 12 months, PPL payments are made via the Family Assistance Office. All DaPP payments are made directly to the employee via the Family Assistance Office.

WHAT HAPPENS IF MY EMPLOYER FAILS TO PASS ON THE GOVERNMENT PPL PAYMENT?

You should notify your union. The Family Assistance Office may pay the PPL to you directly until the dispute is resolved.

WHAT CONTRIBUTIONS ARE EMPLOYERS REQUIRED TO MAKE?

Employers are not required to provide any contributions to the payment of PPL or DaPP, make superannuation payments to employees on PPL or DaPP, or accrue leave entitlements for employees during the period of Government PPL or DaPP.

DOES MY UNION STILL NEED TO BARGAIN FOR PAID PARENTAL LEAVE WITH MY EMPLOYER?

Yes. Unions believe that employers should also contribute to PPL and DaPP for their employees, just as they provide other leave entitlements.

The Government scheme is separate to what your employer provides and you should continue to negotiate new or better paid parental leave from your employer.

When negotiating for new or better paid parental leave from your employer, your workplace bargaining team may seek to tailor your claims in light of the new Government scheme. For example, unions bargain for improvements such as:

- A 'top up' to the Government's PPL and DaPP payments from the National Minimum Wage amount to full income replacement so that parents can access their normal wages during a period of high financial pressure;
- A total of 26 weeks PPL (including employers existing PPL Payments) at full income;
- Payment of superannuation contributions during paid and unpaid parental leave;
- Extending the amount of employer-provided paid parental leave that may be taken prior to the expected date of birth or at half pay; and
- Providing employees with the right to flexible work arrangements when returning from parental leave.

IS THE CAMPAIGN FOR PAID PARENTAL LEAVE OVER NOW?

No. While we are overjoyed to finally have achieved PPL and DaPP for Australian families, we still need your support to campaign for improvements to the scheme. In 2013, when the Government reviews the scheme, unions will advocate that the legislation should be changed to require employers to top up the minimum wage component provided by the government to the level of the employee's ordinary wage rate, make superannuation contributions for employees on PPL or DaPP and to provide flexible work arrangements to employees returning from paternity leave.

WHERE CAN I GET MORE INFORMATION?

Further details of the government scheme are available on the website of the Families, Housing, Community Services and Indigenous Affairs website at: www.fahcsia.gov.au

More information, including additional resources for members such as posters and bargaining kits, can be found on the Australian Council of Trade Unions website at: www.actu.org.au

If you have any queries about your eligibility or access to PPL, DaPP or any other workplace entitlement, contact your union or the Union Australia hotline on 1300 486 466.