



ANGLICAN DIOCESE OF MELBOURNE

Parental Leave Policy for Clergy and Lay Employees

Approved by Archbishop in Council.

Background

The Anglican Diocese of Melbourne supports parents to balance their family commitments and career. All personnel of the Diocese (excluding volunteers) are entitled to paid and unpaid parental leave effective from the 1st of January, 2011.

Purpose

This policy aims to establish a standard understanding of parental leave in the workplace and to provide a framework for taking entitlements. This policy also aims to establish an understanding surrounding Australia's first Paid Parental Leave Scheme.

Application

All Clergy and Lay staff (including Casuals) in respect of employment relationships.

Related Legislation

- National Employment Standards (NES)
- Fair Work Act 2010 (Best Practice Guide) Work and Family
- Pregnancy & Work (Victorian Equal Opportunity & Human Rights Commission)

Review Date

This policy is to be reviewed by the HR/Payroll Manager yearly from the approval date.

Eligibility for Leave

Parental Leave

- (a) Parental leave for personnel is available for a period of up to and including 52 weeks to care for a child in the first year of the child's life.
- (b) The period of leave may start up to 6 weeks before the expected date of birth of the child, but must not start later than the date of birth of the child. If a pregnant employee is to continue working into the 6 weeks before the date of birth a medical certificate will be required for each week up to the birth.

- (c) Leave is available to personnel who are full-time, part-time and casual and provided that such service has been continuous for not less than 12 months within the Diocese immediately before the date of application to the Bishop for female Clergy and Manager/Supervisor for Lay employees.
- (a) Such arrangements relating to parental leave are to be concluded three months before the expected date of birth and be approved by the Regional Bishop for Clergy and Manager/Supervisor for Lay employees.

Entitlement to Parental Leave

Each employee is entitled to take up to 12 months of unpaid parental leave. The employee may request a further period of up to 12 months unpaid leave from their employer. This may be granted subject to the employer's business requirements.

- (a) Subject to the eligibility criteria for the Australian Government Paid Parental Leave (please refer to *Paid Parental Leave: Information for Parents* Booklet) a payment of \$543.78 per week (gross) for 18 weeks (continuous) will be paid to the employee in line with the monthly payroll. Please refer to "Paid Parental Leave" attachment for further information. This entitlement is effective from the 1st of January, 2011.
- (b) It is the employee's responsibility to lodge the claim for paid Parental Leave with the Family Assistance Office which will assess the parent's eligibility. Claims can be lodged up to three months prior to the expected date of the birth or date of placement for adoption.
- (c) Please note that Parental Leave pay is not a leave entitlement, but it will complement parent's entitlements to leave, such as unpaid parental leave under the National Employment Standards.
- (d) The remaining leave will be unpaid except that any outstanding leave currently available may be taken as paid leave during the 52 weeks and for any such paid leave the Diocese/Parish will be responsible for payment.

Both members of an employee couple taking leave

The following rules apply to an employee couple if both employees take unpaid parental leave:

- (a) Both employees may at the same time each take up to three weeks unpaid parental leave (reducing their overall entitlement of 52 weeks) either immediately after the birth or placement of a child or, by agreement with the employer, at any time during an extended period starting before the birth and ending no later than six weeks after the birth or placement.
- (b) Remaining leave must be taken separately in a single continuous period (paid leave, such as annual leave, may be taken at the same time).
- (c) If the employee who takes leave first is pregnant or gives birth they may start their leave up to six weeks before the expected date of birth.
- (d) If the employee who takes leave first is not pregnant, their leave must start on the date of birth or placement of a child.

- (e) The second employee must start their leave immediately after the first employee's leave finishes
- (f) They are entitled to no more than 24 months between them.

Other Provisions

- (a) Parental leave shall count as non continuing service for Long Service Leave benefits, and no annual or sick leave entitlements will accrue during the unpaid period of parental leave taken.
- (b) The position occupied prior to leave being granted will be held for the 52 week period of leave. Personnel must, at least four weeks before the expiration of the 52 week period, state their intention of returning to that position, or must negotiate a return to work after an agreed period of leave not exceeding 52 weeks with the Diocese, or be deemed to have resigned from that position, in which 4 weeks notice shall be required. In the case of an agreement to return to work, the Diocese may employ his/her replacement only on a clearly understood temporary basis until the 52 weeks expires.
- (c) Assistant Curates will recommence their status, training and formation from the position they held at the time of leave being granted.
- (d) If a house is provided, a Cleric on unpaid leave will be responsible for rent, at a mutually agreed rate. If a housing allowance has been paid, this will not be paid during the period of unpaid leave. If the cleric's spouse is an ordained person and has a parish or Diocesan position, any rent applicable or housing allowance may be taken up for the period by the spouse's Parish/Diocese.
- (e) A minimum of 4 weeks' notice will be required through notification to the Bishop/Manager of the readiness to return to employment

Special Parental Leave

- (a) A female employee is entitled to a period of unpaid special maternity leave if she is unfit for work during that period because:
 - (a) she has a pregnancy related illness; or
 - (b) she has been pregnant, and the pregnancy ends within 28 weeks of the expected date of birth of the child otherwise than by the birth of a living child.

Parental leave applied for but not commenced shall be cancelled where the pregnancy of a Cleric/Lay employee terminates other than by birth of a living child.

Adoption Leave

A Cleric/Lay employee who submits to the Bishop/Manager satisfactory evidence of being an approved applicant for the adoption of a dependent child and of the date of placement of that child and declares that he or she is the major carer for that child shall be entitled to:

52 weeks of unpaid parental leave commencing no later than the date of placement, of the child. Paid Leave entitlements for Adoption Leave will be in line with the Australian Government Paid Parental Leave.

This leave will be granted provided that the Cleric/Lay employee has served with the Parish/Diocese for a period of not less than twelve months before the date of application to the Bishop/Manager.

Administration

Notification of absence

When an employee is planning to take parental leave at least three (3) month notice will be required to the Bishop/Manager.

Leave Application forms

A leave application form will need to be completed prior to taking leave or when returning from leave for each occasion Parental leave is taken.

Medical Certificates

A medical certificate outlining the expected date of birth will be required.

Other

Further information can be obtained from the HR/Payroll office in relation to Parental Leave.