

WESTERN SYDNEY
UNIVERSITY



SUPPORTING PARENTS A TOOLKIT FOR STAFF

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INTRODUCTION

Western Sydney University is an Employer of Choice for Gender Equality nationally recognised for its generous and flexible parental leave provisions.

This toolkit is a practical resource to assist new and expecting parents and their supervisors manage parental leave and the transition to new parental responsibilities.

The parental leave entitlements outlined in this Toolkit are underpinned and to be read together with the:

- Fair Work Act 2009
- Federal Sex Discrimination Act 1984
- NSW Anti-Discrimination Act 1977
- Academic and Professional Staff Agreements 2014-2017 westernsydney.edu.au/human_resources/ohr/uws_enterprise_agreements

Parental leave covers:

- Maternity leave in connection with a pregnancy or the birth of a child
- Parental leave for partners and primary carers
- Adoption leave in connection with the adoption of a child
- Foster parent leave for fostering a child on long term placement

Parental leave entitlements include a safe job during pregnancy and a right to return to your old job.

Unpaid Parental Leave Overview

Unpaid Parental Leave

All Western Sydney University employees are eligible for unpaid parental leave under the Fair Work Act if they have completed 12 months of continuous service either before the date or expected date of birth if the employee is pregnant, before the date of the adoption, or at the date they commence leave, and have responsibility for the care of a child.

Casual Employees

Casual employees are eligible for 52 weeks unpaid parental leave, provided that they have been working on a regular and systematic basis for at least 12 months and have a reasonable expectation of continuing work on a regular and systematic basis, had it not been for the birth or adoption of a child.

Extending Your Leave

Employees who have completed 52 weeks unpaid parental leave may request a further 52 weeks unpaid leave which the University will not unreasonably refuse and this leave may be taken in a number of separate periods during the total period of leave.

Government Paid Parental Leave

In addition to unpaid parental leave many new parents may be eligible for the Government Paid Parental Leave Scheme humanservices.gov.au/customer/services/centrelink/parental-leave-pay



Paid Parental Leave

Parental and Adoption Leave

Western provides paid and unpaid parental leave for ongoing and fixed term employees who are a parent and primary carer of a child after birth or within the first 12 months after adoption provided that the child has not lived with the employee for a continuous period of more than 26 weeks. Employees are eligible to up to 52 weeks parental or adoption leave, including up to 20 weeks of leave paid at the base rate of pay.

This leave is available to either parent, including same sex parent families, and is available to be taken within 12 months of the birth or adoption of a baby, were there is a surrogacy, or in the event of a stillborn baby. This leave can be taken flexibly i.e. full pay for 20 weeks or half pay for 40 weeks.

Employees who have completed 52 weeks parental leave may request a further 52 weeks unpaid parental leave which the University will not unreasonably refuse and this leave may be taken in a number of separate periods during the total period of leave.

Eligibility

Ongoing and fixed term employees can access up to eight weeks of paid Parental or Adoption Leave from commencement of employment. The remaining paid Parental Leave (up to a total of 20 weeks for primary carers) is available as of the end of a employees probation period.

Foster Parent Leave

Ongoing and fixed term employees who have completed at least 1 year's continuous paid service immediately prior to the commencement of the leave, and who are the primary care giver of a foster child on long term placement, are entitled to up to 6 weeks' leave at the base rate of pay if the child is younger than 5 years of age, or up to 3 weeks for a child 5 years of age or over.

When can you start Parental Leave?

Staff may begin parental leave at any time from 12 weeks prior to the due date of a baby when they are the birthing parent, or when they commence responsibility as a primary carer of a child after birth or adoption.

Having another child

Employees who have taken parental leave don't have to work for another 12 months before they can take another period of parental leave.

Varying the length of your Parental Leave

You may request to vary your approved parental leave by providing written notice to your supervisor at least 4 weeks prior to the existing approved parental leave end dates.

Option to combine parental leave with other leave types

Parental leave may be taken in different combinations and in conjunction with annual leave, long service leave or leave without pay.

Notification and documentation

Early notification helps with planning and enables better support and assistance.

Employees are required to submit an application for parental leave at least 4 weeks prior to the due date of a child. It is a good idea to make an appointment with your supervisor to discuss what your leave plans are and what assistance and adjustments you might need.

Parental leave is accessible via application to the Office of People and subject to meeting all eligibility requirements and provision of relevant documentary evidence confirming the employee's parental and primary carer status for the child. Applications for Parental Leave are completed via hard copy leave form, which can be downloaded via the OHR Forms and Templates page westernsydney.edu.au/human_resources/ohr/hr_forms_and_templates and at Staff Online staffonline.westernsydney.edu.au.

Your HR Advisor and HR Officer can assist in determining your eligibility, proposed leave dates and return to work processes. Contacts can be found at the Office of People web page. westernsydney.edu.au/human_resources/ohr

Pregnancy and Parental Leave

Health Risk Assessment

If you are pregnant and concerned about health risks associated with your workplace or duties please raise them immediately with your supervisor so that proper risk management measures can be undertaken.

Your supervisor can arrange for a health and safety risk assessment to be undertaken. The WHS team will work with you and your supervisor to develop a plan to temporarily adjust your working conditions, duties, hours of work. If adjustments cannot be reasonably made to your current role then other options will be considered.

If there are concerns, your supervisor may ask you to provide medical evidence for the purposes of identifying and assessing any risks.

Antenatal appointments

Please give plenty of notice.

It is important to discuss your needs in relation to attending antenatal appointments with your supervisor. The University is supportive and will aim to accommodate your needs as far as practicable.

To assist in this, try to schedule your antenatal appointments at a time with least impact on the workplace.

If you are part-time try to organise appointments for non-working days.

If you need to schedule an appointment in work hours you are entitled to apply for sick leave. You will need to provide a medical certificate.

Sickness During Pregnancy

Pregnancy is not considered an illness or injury. If you experience any illness or injury during your pregnancy you have the same sick leave entitlements and same responsibilities as other staff.

The earliest you can start parental leave is 12 weeks prior to the expected date of birth.

An employee who is unable to work because of a pregnancy-related illness can take any leave to which they are entitled.

Partner Leave

Partner leave

Partner leave is leave taken by a staff member in connection with the birth or adoption of their child were they are not the primary carer after birth (“partner” includes spouse, de facto spouse and partners of the same sex).

Paid Leave

The University provides ongoing and fixed term employees three weeks of paid partner leave at their base rate of pay which can be taken flexibly after the birth or adoption of their child.

Unpaid Leave

Casual staff employees with 12 months or more continuous service are entitled to unpaid partner leave in accordance with the Fair Work Act. Both employees of an employee couple may take leave at the same time for a maximum period of 8 weeks. This leave must be taken within 12 months of the birth or adoption of a child.

Additional Leave

Following a period of partner leave an employee giving 4 weeks’ notice may apply to return to work on reduced hours for a defined period.

The Federal Government’s Dad and Partner Pay

If you have a baby or adopt a child you or your partner could be eligible for Dad and Partner Pay. Dad and Partner Pay is a payment for dads or partners caring for a new child (including adopting parents and same-sex couples), available under the Governments Paid Parental Leave scheme. If you are an eligible, you can get up to two weeks of government-funded pay at the rate of the National Minimum when you’re on unpaid leave from work or are not working.

To find out more about Dad and Partner Pay, contact the Department of Human Services humanservices.gov.au.

Impact of Parental Leave on Entitlements

Increments

Periods of parental leave, both paid and unpaid, are regarded as service for incremental purposes.

Annual and Sick Leave

Annual and sick leave continue to accrue during paid parental leave.

Where parental leave is taken at less than the full time rate leave accrual will be on a pro rata basis.

Unpaid parental leave exceeding five working days will not count for the accrual of annual or sick leave.

Long Service Leave

Long service leave continues to accrue while on paid parental leave.

Unpaid parental leave does not count for long service leave accrual except for employees who have completed 10 years’ service. For employees who have completed 10 years’ service, unpaid parental leave will count as service provided it does not exceed 6 months.

Superannuation

Superannuation contributions will continue unchanged while on full paid parental leave.

For employees on unpaid parental leave, the University will make superannuation contributions at the applicable rate for the first 3 months of the period of unpaid parental leave, based on the base rate of pay at the time at which the employee commences the parental

If you take parental leave at half pay or take unpaid parental leave this will impact on the level of superannuation contributions. For more details and to contact the Superannuation Officer go to westernsydney.edu.au/human_resources/ohr/your_pay/superannuation

Other Entitlements

Probation and Service

Probation may be extended in cases where an employee has been absent from work to such an extent that it is not possible to assess their performance during the probationary period.

Car Parking

If you have a Parking Permit think about whether you need to cancel it when you are on parental leave.

westernsydney.edu.au/parking_at_uws/parking

Salary Packaging

can continue while you are on paid leave. If you intend to take half pay or unpaid leave, discuss this with your supervisor.



At Home and Returning to Work

At Home

Keeping in Touch

It is a good idea to maintain contact with the university and your supervisor while you are on leave. Think about what communication mechanisms will work best for you and for your career. At the minimum make sure that your email address is kept on the email network, so that you receive relevant work based information such as details of any structural or operational changes which may affect you.

“Keep in Touch” days

Consider having some “Keep in Touch Days” during your leave. Under the Fair Work Act staff on unpaid parental leave are entitled to access up to 10 paid “Keep in Touch” days in a 12 month period. These days, to be agreed between an employee and their supervisor, are for the purposes of staying up to date with the workplace, refreshing your skills and assisting in your return to work. For more information: www.fairwork.gov.au/leave/maternity-and-parental-leave/when-on-parental-leave/keeping-in-touch-days

Varying your Parental Leave

If there are any changes in your leave requirements you must advise the University and provide at least four weeks written notice to your supervisor of any changes you wish to make to your approved leave.

Returning to Work

Return to Work Entitlement

Ongoing employees who take parental or adoption leave are entitled to return to the same position they held prior to the commencement of leave.

Exceptions to this are when the position is made redundant or is significantly changed. In these cases, the employee is entitled to return to a position at the same level on the same campus. If such a position cannot be found the employee will be entitled to the Organisational Change provisions of the Staff Enterprise Agreements.

Fixed term employees who return to work after parental or adoption leave are entitled to return to the same position that they held prior to the commencement of the leave for the residual period of the contract.

Notification of Return to Work

4 weeks prior to returning you must provide written notice of your intention to return to work and your preferred arrangements. It is a good idea prior to this date to:

- Confirm your anticipated return to work date and your preferred days and hours of work with your supervisor
- Discuss your work plan and orientation back to the workplace
- Discuss any special requirements you may have such as flexible hours, breastfeeding requirements and complete a ‘Lactation Agreement Form’ if applicable
- Contact OHR, payroll and confirm all arrangements in writing.

Flexible Work Options

Phased Return to Work

If you are entitled to paid parental or adoption leave, and you return to work full-time or on the same part-time arrangement as you were working prior to taking leave within 12 months of commencing the leave, you will be entitled to a phased return to work. The phased return to work provides for employees to work 80% of their normal hours for 40 weeks at 100% pay (pro-rata for part-time positions).

Before returning to work, you will need to have a discussion with your supervisor to agree on the arrangements for taking leave that recognise your needs and the needs of your work area.

Reduced Hours

After parental or adoption leave an employee may elect to work reduced hours during a period of up to 2 years from the commencement of parental leave. Employees may also apply for an additional defined period of reduced hours that the University will not unreasonably refuse.

Flexible Working Arrangements

The University has a range of flexible work options to support the needs of employees returning from parental leave and employees returning from parental leave who are the primary carer of a child school aged or younger have a right to request flexible working arrangements to accommodate caring responsibilities. Under the provisions of the Fair Work Act staff must make a request in writing setting out the details of the change or changes sought and reasons for the change.

Following a request for flexible working arrangements, supervisors will review the request, identifying essential elements of the position and activities which may be done differently to accommodate requests.

The agreed work arrangement must be for a defined period of time and, as far as practical the changed days or hours of work should be set and regular for the duration.

Purchase Additional Leave (PAL) Option

Full time ongoing and fixed term employees engaged for 12 months of continuous employment are eligible to apply to purchase 8 additional weeks annual leave under the PAL Scheme. Full details are outlined in the PAL Policy policies.uws.edu.au/view.current.php?id=00231

More information on Flexible Working Arrangements at Western Sydney University westernsydney.edu.au/equity_diversity/equity_and_diversity/gender_equality/flexible_working_arrangements

Child Care

When your pregnancy is confirmed start investigating child care options. Most child care centres have a waiting list for children under 2 and you may need to put your name on the waiting list even before your child is born.

Western Sydney University has long day care centres on 6 campuses. For more information westernsydney.edu.au/campuses_structure/cas/services_facilities/childcare

Salary sacrifice of child care fees is available for staff with children at Child Care Centres on campus.



Breastfeeding at Work

Breastfeeding Support

The University supports staff and students who wish to breastfeed their baby while they participate in work or study on campus.

Nursing mothers returning to work after parental leave are entitled to paid lactation breaks.

Women are welcome to breastfeed their babies wherever they feel comfortable on campus. There are also rooms available for those who prefer a private space for breastfeeding.

Australian Breastfeeding Association

Western Sydney University is accredited by the Australian Breastfeeding Association. The Australian Breastfeeding Association has trained Breastfeeding Counsellors who are available to assist women with their breastfeeding concerns, and questions about how to combine breastfeeding and returning to work. They can be contacted on the toll-free number 1800 686 268

Parental and Breastfeeding Facilities on Campus

The following rooms are available for staff, students and visitors and can be used by parents and for breastfeeding.

Campus	Location	Room Type
Bankstown	Building 1.G.07	Parents Room
	Building 2.G.068	Womens Room
Blacktown (Nirimba)	Building U10.1.26	Parents Room
Campbelltown	Building 2.G.35	Womens Room
	Building 21.G.39	Parents Room
	Building 30.1.07	Parents Room
Macarthur Clinical School	Building X7.G.38	Parents Room
Hawkesbury	Building K4.G.20	Parents Room
	Building K4.G.79	Womens Room
Kingswood	Building N.G.11	Parents Room
	Building N.G.13	Womens Room
Liverpool City	Building 3.1.15	Womens Room
	Building 3.1.18	Parents Room
Parramatta City	Building 1.1.33	Womens Room
	Building 1.1.34	Parents Room
Parramatta South	Building EB 6.16	Womens Room
	Building EHa. L63	Parents Room

Additional Support and Resources

Employee Assistance Program (EAP) [accesseap.com.au](https://www.accesseap.com.au)

EAP is a free, confidential counselling service available to University staff and members of their immediate family.

EAP provides:

- 6 university funded sessions of external professional counselling for personal or work related issues per person or family each year
- Face to face counselling or counselling over the phone
- Assistance to all employees and their immediate family members
- A completely confidential service. The University receives no personal information about your access to or use of EAP services. Information you provide the counsellor is not shared with others.

Simply call 1800 81 87 28 to refer yourself to EAP.

Child Care

My Child Website is an Australian government website that provides details of registered child care providers and information on different types of child care and how to get assistance with the cost of child care [mychild.gov.au](https://www.mychild.gov.au).

Directory of child care options including nannies and babysitting [childcaredirectory.net.au](https://www.childcaredirectory.net.au) [careforkids.com.au](https://www.careforkids.com.au)

Australian Government

Supporting Working Parents Website [supportingworkingparents.gov.au](https://www.supportingworkingparents.gov.au)

Federal Government Payments and Services for Families and Children [humanservices.gov.au/customer/themes/families](https://www.humanservices.gov.au/customer/themes/families)

NSW Government

Support and Services for Families www.families.nsw.gov.au

Other Support Services

The Australian Government Department of Health's Pregnancy, Birth and Baby [pregnancybirthbaby.org.au](https://www.pregnancybirthbaby.org.au)

The Australian Breastfeeding Association [breastfeeding.asn.au](https://www.breastfeeding.asn.au)

Fair Work Ombudsman www.fairwork.gov.au/leave/maternity-and-parental-leave

NSW Department of Industrial Relations [industrialrelations.nsw.gov.au/biz_res/oirwww/pdfs/Maternity_at_Work.pdf](https://www.industrialrelations.nsw.gov.au/biz_res/oirwww/pdfs/Maternity_at_Work.pdf)

Western Sydney University Contacts

Office of Human Resources

For information about leave entitlements and conditions of work contact your HR Advisor or you are not sure who to call contact the OHR helpline on (02) 9678 7575 or email: humanresources@westernsydney.edu.au

Superannuation Officer

Contact details: <https://directory.westernsydney.edu.au/search/contains/superannuation>

Office of Work Health and Safety

If you have any concerns about health risks contact [westernsydney.edu.au/whs/whs/contact_us](https://www.westernsydney.edu.au/whs/whs/contact_us)

Equity and Diversity

For information and advice on policy and support contact 9678 7378 or email equityanddiversity@westernsydney.edu.au

Checklist for Staff

Once your pregnancy/primary caring or adoption is confirmed the following checklist is a basic guide to help you manage and prepare the lead up to your parental leave. The key to a smooth transition to leave is providing as much notice as possible of your plans and good ongoing communication between you and your supervisor.

Look at the information available on parental leave entitlements and responsibilities in the toolkit and the

- provisions in the staff enterprise agreements
westernsydney.edu.au/human_resources/ohr/uws_enterprise_agreements
- Western Sydney University Workplace Flexibility Policy
policies.westernsydney.edu.au/document/view.current.php?id=137

Consider when you would like to or need to start your leave and ensure that you apply for it within the required time frame.

Talk to your HR Advisor. They can help you with the calculation of leave entitlements and completing the leave form.

Make an appointment with your supervisor to discuss

- your plans for the dates of parental leave
- antenatal appointment arrangements
- how your work will be managed while you are away (for academic staff this could include arrangements for management of post-docs, cover for teaching, administration and research as well as the possible extension of research grant funding)
- your career development and work plan, including whether you would like to be considered for any career development activities or work unit planning days while you are on leave
- if you wish to keep in touch your preferred methods for staying in touch while on leave e.g. by phone, mail, email and the frequency of contact
- nominate a contact for while you are on leave, it may be your supervisor or a nominated team member
- any concerns about health and safety
- decide how your email and telephone will be covered in your absence

Consider your return to work options (you may not precisely know but it is good to have a rough plan to discuss with your supervisors)

- how much leave do you intend to take
- are there key dates that you need to work around
- do you plan to return full-time, part-time or staged
- do you have other leave that you are entitled to add on to your parental leave?
- start investigating child care options
- determine your eligibility for the Federal Government's Parental Leave Payments
humanservices.gov.au/customer/services/centrelink/parental-leave-pay

From the time you discuss parental leave with your supervisor, start planning the handover of your work.

Create a contingency plan should you need to leave work earlier than planned.

Throughout pregnancy, but especially in the last six weeks, consider your fitness for work and in consultation with your supervisor and doctor organise for adjustments to be made as necessary.

Four weeks prior to leave

- make sure required leave forms are submitted.
- make any changes to deductions from your salary including, parking, superannuation etc.
- make sure your personal contact details on staff online are correct.
- ensure that the transition and handover plans are finalised.

Checklist for Supervisors

As a supervisor you have a critical role in valuing and encouraging staff members who are preparing for parental/adoption leave. It is your responsibility to set a culture that supports work and life balance. Key to providing good support is open communication, flexibility and early planning.

→ Ensure you are aware of staff parental leave rights and responsibilities including

- The provisions in the staff enterprise agreements
[westernsydney.edu.au/human_resources/ohr/uws_enterprise_agreements](https://www.westernsydney.edu.au/human_resources/ohr/uws_enterprise_agreements)
- Workplace Flexibility Policy
policies.westernsydney.edu.au/document/view.current.php?id=137

→ Meet with your staff member to:

- discuss their parental leave plans
- discuss options for ante natal appointments
- discuss any health and safety concerns
- discuss any adjustment of work hours or flexible work arrangements that might be required
- discuss how the staff member's work will be managed while they are on leave bearing in mind that the vacancy is temporary and staff on parental leave have a right to return to their position at the end of their leave period
- encourage and assist staff in maintaining career momentum by discussing strategies prior to, during and on return from parental leave
- explore options for staying in touch while they are on parental leave. There is no obligation for staff members to keep in touch, but the Fair Work Act includes a provision for keeping in touch and places an obligation on the university to advise of restructures or position relocations which would affect the staff member on leave.
- diarise when to make contact and send information to the staff member as agreed. Possible stay in touch days could include training, career development, planning days or social events.
- plan for a replacement and access funding for the replacement through the central Parental Leave Replacement Fund
- plan transition and handover timetable
- discuss contingency planning – be aware that in last 6 weeks of pregnancy fitness to continue may be a consideration
- discuss leave arrangements and flexible work options
- discuss plans for breastfeeding and complete the 'Checklist for Managers' and 'Lactation Agreement Form' if applicable.

→ Employee going on parental leave & Pre-adoptive employee

It is possible that an employee will be intending to breastfeed an adopted child and will require similar support to any other employee requesting parental leave.

As soon as you notice an employee's intention to take parental leave:

- Discuss the employee's expected needs prior to the commencement of leave and ensure they are aware of the support available in a Breastfeeding Friendly Workplace
- Highlight the breastfeeding policy and other relevant documentation as well as the availability of lactation breaks and the location of and facilities in breastfeeding rooms: <https://www.westernsydney.edu.au/parentingsupport>
- Discuss any procedures in place to stay in touch with employees on parental leave, formal or informal. Consider extending an invitation to bring the baby in to meet the team
- discuss return to work options, including staged return to work and other flexible working arrangements

- Provide a blank copy of Lactation Break Agreement form for discussion and finalisation on their return to work
- Diarise regular contact with employee to check in regarding transition back to workplace

→ Following the employee's return to work:

- Finalise the Lactation Break Agreement, if required
- Ask the employee to advise when their needs change so that the Lactation Break Agreement can be amended/ceased accordingly.

→ New employee

All new employees of childbearing age may require support to combine breastfeeding and work at some stage during their career. It is possible that a new employee may be breastfeeding a child but will not necessarily mention this during the recruitment process.

→ As soon as practicable after a new employee has commenced in their role, the Manager should:

- Highlight the breastfeeding policy and other relevant documentation as well as the availability of lactation breaks
- Discuss leave arrangements and flexible work options
- Highlight the location of, and facilities in breastfeeding rooms
- Provide a blank copy of a Lactation Break Agreement form for discussion and finalisation, if required

→ Following the employee's return to work:

- Finalise the Lactation Break Agreement, If required
- Ask the employee to advise when their needs change so that the Lactation Break Agreement can be amended/ceased accordingly.

Lactation Break Agreement Form

Employee's Name: _____

Employee's Title: _____

Department: _____

Telephone: _____

Email: _____

Manager's Name: _____

Telephone: _____

Email: _____

LACTATION BREAK

Commencement date: _____

Lactation break entitlement: _____

PROPOSED LACTATION BREAK(S) TO BE TAKEN

Time of break(s): _____

Length of break(s): _____

Work day(s): _____

Are lactation breaks to be taken off site? Yes No

If yes, are the lactation breaks to be combined with meal break? Yes No

ISSUES OR CONCERNS DISCUSSED

OUTCOMES AGREED UPON

COMPLETE ONE OF THE FOLLOWING

1. Arrangement approved. Review in ____ months with reference to outcomes agreed upon above.
2. Trial of proposed working arrangements approved for ____ months with reference to outcomes agreed upon above.
3. Proposed working arrangements cannot be approved for these reasons:

Employee's Signature: _____ Date: _____

Manager's Signature: _____ Date: _____



Contact information

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Western Sydney University
Locked Bag 1797
Penrith NSW 2751 Australia



WESTERNSYDNEY.EDU.AU