

Parental Leave Policy

DOCUMENT CONTROL

Revision	Reason for review	Review team	Summary of changes	Date	Authorised (Business Head)	Date
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1. INTRODUCTION

This Parental Leave Policy outlines guidelines for the use of Batchfire Resources Pty Ltd and Batchfire Callide Management Pty Ltd (Company) and eligible employees.

This guideline is subject to, and should be read in conjunction with, the Fair Work Act 2009 (Cth) (**Fair Work Act**) and any applicable industrial instrument such as an award or enterprise agreement. To the extent of any inconsistency between this guideline and the Fair Work Act or a relevant industrial instrument / award, the industrial instrument / award and the Fair Work Act will prevail.

2. PURPOSE

The purpose of this guideline is to inform Company employees of the leave to which they are entitled to in relation to the birth or adoption of a child.

This guideline also addresses the procedure the Company may adopt when an employee informs the Company they are pregnant, and the requirement for a 'safe job' is identified.

3. SCOPE

This policy covers eligible employees working for the Company.

4. DEFINITIONS

Term	Definition
Company	Batchfire Resources Pty Ltd; and Batchfire Callide Management Pty Ltd.
Employee	A person who works under a contract of employment for or with the Company.

5. POLICY

5.1 Application

- (a) This guideline applies to all permanent employees after twelve (12) months' continuous full-time service or part-time service with the Company. Casual employees may also be entitled to unpaid parental leave, provided their casual engagement is regular and systematic during the previous twelve (12) month period, and there is a reasonable expectation of continuing work with the employer on a regular and systematic basis, had it not been for the birth or adoption of a child.

5.2 Entitlement to Parental Leave

5.2.1 Unpaid parental leave

- (a) An employee will be entitled to a maximum of twelve (12) calendar months of unpaid parental leave if:
- (i) The leave is associated with:
- (A) The birth of a child of the employee or the employee's spouse or de facto partner;
or
- (B) The placement of a child with the employee for adoption; and

- (ii) The employee has or will have a responsibility for the care of the child.
- (b) Employees are entitled to take any accrued Annual or Long Service Leave, which is due in conjunction with their parental leave. However, the total period of paid and unpaid leave cannot exceed twelve (12) calendar months, unless an extension to the initial period of leave is granted as considered in section [5.5](#) of this guideline.
- (c) Unpaid parental leave must be taken in a single continuous period (including any periods of paid leave).
- (d) Where both parents are employees, unpaid parental leave may be taken by one parent or split between both parents. Only one parent may take leave at any one time, except for four (4) calendar weeks at the time of the birth or adoption of the child. The total leave taken by both parents must not exceed twelve (12) calendar months, unless additional parental leave is granted.

5.2.2 Paid parental leave for employees covered by salaried employment contracts

The company will also provide parental leave to employees covered by salaried employment contracts. The parental leave for these employees is the equivalent to one weeks' duration of their normal shift.

5.3 Applying for Parental Leave

- (a) When applying for parental leave, employees must give the Company at least ten (10) weeks' notice prior to the expected date of birth or arrival of their child, or if they will have a responsibility for the care of the child after the birth or arrival of their child, ten (10) weeks prior to the commencement of their parental leave.
- (b) Applications for parental leave to be made by making a written request to their Supervisor, detailing the period of leave they plan to take and their expected date for returning to work.
 - (i) If the leave is birth related, a certificate from a medical practitioner should be provided, confirming the pregnancy and the expected date of birth.
 - (ii) If an employee becomes the carer after the birth of the child, a copy of the birth certificate and a signed statement confirming that they will have responsibility for the care of the child, that their partner/de facto will not be on parental leave, and that their partner/de facto will not have met or exceeded the statutory entitlement to unpaid parental leave should be provided.
 - (iii) If the leave is adoption-related, the relevant documentation identifying the date of the arrival of the child is to be provided.
- (c) If the leave is birth-related for a female employee who is pregnant, it is recommended that they plan to start their parental leave six (6) weeks prior to their expected date of birth. If an employee wishes to work any period closer to the expected date of birth, they must provide the Company with a certificate from their medical practitioner stating that they are fit to continue work.
- (d) Employees should discuss these plans with their Supervisor so that the Company has a clear understanding of their plans, and can organise coverage of their position during their absence.
- (e) The employee's Manager must approve the parental leave.

5.4 Returning to Work After Parental Leave

- (a) Employees should confirm their intention to return to work in writing to their Supervisor at least four (4) weeks before the last day of parental leave.
- (b) In cases of a miscarriage or stillbirth, an employee may return to work earlier than initially planned. In these circumstances, the employee should discuss their plans to return to work with their Supervisor.
- (c) Employees are entitled to return to work to the substantive position they held prior to commencing parental leave, or if that position is no longer available, a position for which they are qualified and suited nearest in status and remuneration to that which they held immediately prior to commencing parental leave.

5.5 Additional Parental Leave

Employees who are entitled to an original period of parental leave pursuant to section [5.2.1](#) of this guideline may apply in writing for additional unpaid parental leave, up to a maximum of 12 months. This leave is in addition to and continuous with the initial entitlement of up to twelve (12) months.

This additional parental leave is for having responsibility for the care of their child. Only one parent may take additional parental leave at any one time.

When considering requests for additional parental leave, the Company may consider the employee's circumstances, as well as the effect on the Company.

Applications for additional parental leave should be made as soon as possible and at least four (4) weeks prior to the conclusion of the period of ordinary parental leave.

5.6 Adoption Leave

This guideline also applies (with the necessary changes) to parents adopting a child.

5.7 Subsequent Periods of Parental Leave

5.7.1 Subsequent periods of unpaid parental leave

Employees who have already taken one period of parental leave may apply for parental leave in accordance with this guideline in relation to each subsequent birth or adoption of a child.

5.8 Interaction of Parental Leave with Other Forms of Leave

Annual leave, personal/carer's leave and long service leave will not accrue during unpaid parental leave.

An employee may take accrued annual leave and / or long service leave during any period of parental leave, provided that the total period of leave is an unbroken period, which does not exceed twelve (12) months.

5.9 Transfer to a Safe Job

Refer to Fair Work Act.

5.10 Unpaid Special Maternity Leave

Refer to Fair Work Act.