



## Parental Leave Policy



### Intent

We comply with the Parental Leave and Employment Protection Act 1987. Kaimahi may take up to 26 weeks paid parental leave for:

- the birth or adoption of a child
- assumption of care of a child under six years through permanent foster care or whāngai
- assumption of full-time care of a child as a permanent guardian.

We plan for kaimahi to return to work after leave and support them to balance caring for their infant with their return to work.

### Definition

"Parental leave" is defined [here](#).

### Responsibilities

#### Management must:

- ensure eligible kaimahi have access to information about their entitlements to leave under the Parental Leave and Employment Protection Act 1987
- plan for and support the return of kaimahi on parental leave to work
- make appropriate facilities available for breastfeeding and expressing milk support
- approve requests for flexible work arrangements for returning parents where possible.

**Kaimahi** must comply with their obligations under the Parental Leave and Employment Protection Act 1987 when applying for and returning from leave and participate in planning for their return to work.



## Requirements

The [eligibility criteria for parental leave](#) in the Parental Leave and Employment Protection Act 1987 will be applied. Kaimahi must check they are eligible for leave before requesting it.

### Request for leave

A request for parental leave may be made:

- before the birth of pēpē or after the pēpē has been born (up until the first birthday)
- when a pēpē or child has come into the staff member's care or at any time up until the child has been in their care for 12 months.

Eligible staff should:

- complete a Paid Parental Leave application (IR880) form
- complete a declaration signed by management
- obtain evidence from their lead maternity carer of the expected due date, or
- evidence that they are the primary carer of a child under six.

A kaimahi can transfer their paid parental leave to their spouse or partner if they will be joint primary carers of a child under six, and the spouse or partner qualifies for the leave from their employer or self-employment. They should complete a Paid parental leave transfer (IR881) form.

See [Apply for Paid Parental Leave](#) for more information about applying for parental leave.

### Employment protection

If a kaimahi takes up to four weeks parental leave (and it's the first period of parental leave for the child), their job will be kept open for them until they return to work.

If more than four weeks' parental leave is taken, their job will be kept open unless:

- it is a key position and it is not reasonably practicable to recruit for a temporary replacement or
- we are in a redundancy situation. In this case, the kaimahi will be given preference for any mahi (similar to their previous position) that comes up during the 26 weeks after the end of their parental leave.



## Keeping in touch

It may be agreed with the kaimahi that they will take up to 52 hours of work during their leave as part of "keeping in touch". The work may only commence after 28 days of parental leave.

## Notify return

Kaimahi on parental leave must notify us as early as possible and at least 21 days in advance about whether:

- they will be returning to work
- returning early or
- not returning from parental leave.

If a kaimahi chooses not to return to work at the end of their leave, the day before they started their parental leave is treated as their last day of work for the purpose of calculating their holiday pay in their final pay.

## Plan for return

On or before the date of return, a hui must be held with the kaimahi to identify and plan for what they may need to assist their transition back to work. Planning should address the following:

- flexible work arrangements
- access to appropriate facilities for breastfeeding and expressing milk
- breaks for breastfeeding and expressing
- baby's presence during work hours
- regular review dates.

The plan must be implemented, reviewed by management and the kaimahi and adjusted as necessary to ensure that it works and avoids the kaimahi being disadvantaged in the workplace by reason of breastfeeding or flexible working.

## Compliance

NZS 8134 1.2.7 Organisational management, Human resource management

Parental Leave and Employment Act 1987

Employment Relations Act 2000

## Helpful links



[Employment, NZ Parental leave](#)

[Whānau engagement](#)

[Flexible working](#)

[World Health Organization 10 facts on breastfeeding](#)

Review

Date: July 2020

Next review: June 30 2022