



AEU NT Guide to Parental Leave



How much paid parental leave can I access?

All permanent full-time staff employed continuously for 5 years or more are entitled to 18 weeks of parental leave on full pay. If you have been employed continuously for between 1 and 5 years you are entitled to 14 weeks leave. If you have been employed for less than 12 months, no paid leave provisions apply. Only one parent can receive primary caregiver parental leave in respect to the birth or adoption of the child.

Can I take leave at half pay?

Yes, you can elect to take a longer period of time on half pay. A period of parental leave does not break an employee's continuity of service.

How much unpaid leave can I access?

If you have been employed continuously for 5 years or more you are entitled to 138 weeks unpaid leave up to a maximum of 3 years. If you have been employed continuously for between 1 and 5 years you are entitled to 142 weeks unpaid leave up to a maximum of 3 years. If you have been employed for less than 12 months you are eligible for 52 weeks unpaid leave. Pro rata provisions apply if you reach these milestones during parental leave.

What about partner leave?

If you are an NTPS employee and the partner of a primary caregiver, you also entitled to leave. If you have been employed continuously for 5 years or more you are entitled to 2 weeks on fully pay or 4 weeks on half pay. A further 6 weeks unpaid leave is available to access in the first year after birth.

If you have been employed continuously for between 1 and 5 years you are entitled to 1 week on fully pay or 2 weeks on half pay. A further 7 weeks unpaid leave is available to access in the first year after birth.

If you have been employed for less than 12 months there is no provision to paid leave, however 8 weeks unpaid leave is available to access in the first year after birth.

My partner and I are both NTPS employees – can we combine our leave?

Yes, provided you satisfy the service requirements and notice periods as well as evidence requirements. Both employees must apply for the respective parental leave periods and there is a maximum of two interchanges during the combined leave. The combined paid and unpaid leave must not extend beyond 3 years from the commencement of the leave.

How much notice do I have to give?

Written notice of at least 10 weeks is required relating to the intention to take parental leave and the proposed start and end dates. This is to be confirmed in writing 4 weeks prior to intended commencement date or advising of any changes to dates. An employee must also provide a statutory declaration stating they will be the primary caregiver (for parental leave) or have a responsibility for care of the child (partner leave). If there are unexpected circumstances relating to the birth, then providing this information at your earliest convenience is acceptable.

What about working while I am pregnant?

You can continue to work up until 6 weeks prior to your due date. After this time, a medical certificate needs to be provided stating your fitness for work.

What if I don't feel safe at work during my pregnancy?

If there are hazards connected to the work you are expected to perform, there is a provision to be transferred to a safe job, during the risk period, if it is available and reasonably practical. This may include a medical issue arising from pregnancy and will need an accompanying medical certificate. If there is no appropriate safe job for the risk period and the employee is entitled to primary caregiver leave, then paid leave will apply. If the employee is not entitled to primary caregiver leave then unpaid leave will apply.

Please see over for more information





Can I access other leave while on parental leave?

Yes, an employee on unpaid leave may access accrued recreation leave and long service leave entitlements. However, this will not extend the maximum period of parental leave.

Can I work while on paid parental leave?

Yes, but it will not extend the maximum period of parental leave and employment outside the NTPS is subject to the requirements of the PSEM Act. You can work within the NTPS when on unpaid parental leave within your agency or another agency.

Keeping in Touch days are a provision allowing an employee on parental leave to attend your workplace for meetings and training to help facilitate a return to work and any changes in the workplace. These will be paid days or part days.

What about returning to work?

If you elect to return to work in the 6 weeks immediately following the birth a medical certificate is required stating your fitness for work.

If you are returning to work early from a period of parental leave, you must provide an application to return to work. If your leave has been less than 1 year, then you need to make the request at least 4 weeks prior to your preferred date. If your leave has been longer than 1 year, you need to make the request with at least 12 weeks' notice.

If you are returning at the conclusion of your leave, you still need to give notice prior to the expiration of your leave. If your leave has been longer than 1 year, you need to make the request with at least 12 weeks' notice.

Will I get my old job back?

Yes, you are entitled to the position that you held immediately prior to leave, however if that position no longer exists, then a position of similar pay and status.

Can I return to work part-time?

In most cases returning to work on a part-time basis will be supported. Such requests must be made at least 8 weeks prior to the date the employee is due to return to work. You must make your request in writing and receive a reply in writing from DoE. If the employer denies your request for part-time work, the reasons must be provided in writing. Employees are to continue to have the same opportunities in relation to access to training and development, information and meetings, as other employees, where possible.

What about my superannuation contributions?

During the first 12 months of primary caregiver parental leave an employee will continue to receive employer superannuation contributions, as per relevant superannuation legislation and superannuation fund rules, on any period of unpaid primary caregiver parental leave taken.

What if I am on a contract?

An employee engaged continuously for at least 12 months will usually be able to be entitled to access at least 14 weeks of paid leave. However, the entitlement to unpaid leave and part-time employment do not apply. We advise you to contact the union office for advice about arrangements for contract employees.

What if I get pregnant again?

An employee can elect, subject to notice and evidence requirements, to commence another period of parental leave relating to a subsequent child in accordance with parental leave guidelines.

Does this type of leave apply to adoption, surrogacy and foster care?

Yes, definitely for adoption and surrogacy arrangements. There is no such entitlement for foster care, however paid leave may be approved on a case-by-case basis.

References and further information

AEU NT website: www.aeunt.org.au

Clause 36, [2017-2021 NTPS Teachers and Assistant Teachers' Enterprise Agreement](#)



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