

Parental leave

within the Presbyterian Church (NSW)



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Parental Leave

The Presbyterian Church (NSW) complies with legislated requirements for 'Parental Leave Pay' and 'Dad's and Partners Pay'. Additional Parental Leave may be specified in the terms and conditions of particular contractual arrangements.

Parental Leave Pay is a scheme of Government funded support for up to 18 weeks to eligible employees to take time off work to care for a newborn or recently adopted child.

If you are likely to apply for Parental Leave Pay (or Dad's and Partners Pay), or your congregation employs a person making an application, please become familiar with the details of the scheme available at: <http://www.humanservices.gov.au/customer/services/centrelink/parental-leave-pay>

FAQs:

What is the rate of Parental Leave Payment?

It is important to note that the government will not fund both Parental Leave Payment and Baby Bonus for the same child. The Human Services website includes a comparison calculator to help assess which benefit is most advantageous for your particular situation.

Who pays for Parental Leave Payment?

Payment during a period of Parental Leave is now entirely funded by the government as a government benefit. It is not funded by the employer. It is not regarded as salary or wages or a payment by the employer. (Exceptions to this would arise if some other entitlement for Paid Parental Leave was part of an individual contractual arrangement).

Application for payment is made by the employee directly to the Department of Human Services. Human Services assess each application, advise the level of the benefit, and arrange the method of payment. The payments may be made directly to the employee, or provided to the employer for inclusion as part of the regular pay cycle.

What happens to my position?

Upon receipt of various notifications as required by the legislation, the employer is obliged to retain the position for the employee for a period of no more than 12 months. The legislation makes provision for the engagement of another employee in that position under certain conditions, and other provisions should the position change during the period of Parental Leave.

Does Parental Leave attract Superannuation, and how does it affect leave entitlements?

From the employer's perspective, Parental Leave is analogous to 'Leave without Pay'. As no salary/wages are being paid,

- no superannuation contributions are made for this period;
- no LSL entitlement is accrued for this period (although accessing Parental Leave is not deemed as a break in service); and
- no Annual Leave is accrued for this period.

Parental Leave does not change any existing leave entitlements, and will not result in the accrual of any additional leave entitlements.

What is Dad's and Partners Pay?

Dad and Partner Pay is for eligible working dads or partners, including adopting parents. They may get up to 2 weeks' pay based on the rate of the National Minimum Wage. They must not be working during this time or must be on unpaid leave.

(For ministry personnel within PCNSW, 'unpaid leave' includes not only stipend or salary considerations but extends to all forms of fringe benefits including the occupation of the manse and the provision of allowances of all kinds (e.g. travel, technology, accommodation, phone rental or calls, and utilities).

To prove that all work-related remuneration had ceased during a period of Dad and Partner Pay, it may be necessary for a congregation to enter an arrangement with any employee receiving free or subsidised accommodation to pay rent for the relevant period. The costs of such an exercise would, in almost all cases, eliminate any advantage which the Dad and Partner Pay scheme might offer.

It is recommended that male ministry personnel exercise care when considering the benefits and costs of Dads and Partner Pay and, if necessary, seek advice from the Department of Human Services.

Employers do not play a role in providing Dad and Partner Pay. The Department of Human Services always pay eligible applicants directly.