



ACTU Briefing document - Paid Maternity Leave

Already get Paid Maternity Leave? See this bargaining kit for ideas on how to use this opportunity to improve your Paid Maternity Leave entitlements.

The 14-week paid maternity leave would be on top of any existing paid maternity leave entitlements belonging to an employee. However, the additional government component of 14 weeks is at the minimum wage plus 9% super. And, employers already providing paid maternity leave will only be required to top up a total of 14 weeks' paid maternity leave to ordinary time earnings.

For example, you may already be entitled to eight weeks' paid maternity leave.

The government would provide an additional 14 weeks' leave (taking the total amount of paid leave to 22 weeks) and the employer would be required to top up an additional six weeks' leave so that you are now entitled to a total of 14 weeks' paid maternity leave at your full pay, and 8 weeks at the minimum wage.

If you are already entitled to 14 weeks' paid maternity leave at full pay, the new scheme would provide an additional 14 weeks' paid maternity leave at minimum wage, taking the total amount of paid leave to 28 weeks.

- You might want to bargain for your employer to top up the additional weeks' paid leave provided by the government at minimum wages to full income replacement level.

- You could also negotiate for the super component to match your employer's usual super contributions if they are more than 9%.
- If you now have any paid maternity leave over and above 14 weeks, you might want to negotiate that it be available to other primary carers, including for example, fathers, grandparents, same sex parents, step parents and so on.
- The ACTU has recommended additional forms of leave such as paid breastfeeding breaks (with appropriate designated areas) and paid leave to attend ante natal appointments. These entitlements could also be included in negotiations.
- The ACTU has also recommended improved return to work provisions such as better guarantees of returning to your previous job and improved communication during leave. These entitlements could also be included in negotiations.
- Another critical area of returning from parental leave is improved flexible work arrangements for parents of young children; negotiate an obligation on your employer to consider any employee requests for flexible work arrangements and only to be able to refuse the request on reasonable grounds.

