



Australian Education Union

Federal Office:

Ground Floor, 120 Clarendon Street, Southbank, Victoria, 3006

Federal Secretary: **Susan Hopgood**

Federal President: **Angelo Gavrielatos**

Telephone: **61 3 9693 1800**

Facsimile: **61 3 9693 1805**

Email: aeu@aeufederal.org.au

11 May 2010

Naomi Bleeser
Committee Secretary
Senate Standing Committee on Community Affairs
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Email: community.affairs.sen@aph.gov.au

Dear Madam,

RE: Exposure Draft of legislation implementing the Government's announced Paid Parental Leave Scheme

The AEU, as its submission to the Senate Standing Committee on Community Affairs' Inquiry into the Exposure Draft of legislation implementing the Government's announced Paid Parental Leave Scheme, would like to express support for the ACTU's submission.

As the AEU understands the Exposure Draft, many implementation issues which arose via the consultation committee have been clarified by the Bill and satisfy some of the concerns by all unions, including the AEU.

The only matter the AEU wishes to comment on specifically is regarding the additional aspect of the PPL eligibility requirements 36 (2) on permissible breaks between qualifying work days which stipulate a maximum break in service over the 10 months, of 8 weeks.

In the public education sector, both in schools and TAFE colleges, it is possible for an employee working on a contract basis to satisfy the requirement of working for 10 of 13 months, and the average of 330 hours, yet due to semester/term breaks, particularly over the summer break, they may not secure employment until sometime into the early part of the new year. In some cases this may equate to a break of over 8 weeks. For these employees, their history of employment may be via short term contracts however these may be for years on end.

The AEU believes that these employees do have an established pattern of ongoing work with their employer, and indeed do satisfy eligibility for all other reasons but for the new clause regarding the 8 week break. We would request in supporting the ACTU's solution, that this clause be changed from 8 weeks to 12 weeks to better reflect term based and seasonal work, or that the average of 330 hours be maintained, without a stipulated maximum break.

We would echo the view that there could be a better link between the Fair Work Act and the National Employment Standards however the AEU is pleased the PPL is its own legislation not an amendment to the Welfare Act.

In noting the interaction with the National Employment Standards the AEU would prefer that the NES eligibility requirements for 12 months unpaid leave be improved in line with those proposed for the PPL. It is incongruous to extend a period of 18 weeks pay, for reasons of maternity/adoption/primary care, to employees who cannot access an appropriate period of leave and guarantee their return to work for those same care purposes.

The AEU hopes the Committee supports this Bill swiftly, with improvements, so that employees can finally receive the recognition, pay and time to bond with their child that so many others in the rest of the world have long benefited from.

Please contact me if you have any questions in relation to this submission.

Yours sincerely,

Susan Hopgood
Federal Secretary