

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
[ADDITIONAL ESTIMATES 2010-2011]

[Prime Minister and Cabinet Portfolio]

Department/Agency: Australian Public Service Commission
Outcome/Program: 1.1
Topic: Paid Parental Leave

Senator: Cash
Question reference number: 65
Type of question: Written
Date set by the committee for the return of answer: 15 April 2011

Number of pages:

Question: What is the total Commonwealth liability for paid parental leave under existing APS EBAs?

Answer:

A legislative entitlement to 12 weeks paid leave is provided for by the Maternity Leave (Commonwealth Employees) Act 1973.

In addition to this legislative entitlement APS Agencies have been able to include parental leave above minimum legislative entitlements. The extent to which APS Agencies have provided for additional parental leave has varied.

The Australian Public Service (APS) Employment Database indicates that 3,801 APS employees accessed paid maternity leave through agency enterprise agreements in 2009/10.

The capacity for APS Agencies to include parental leave above minimum legislative entitlements in their enterprise agreements was clarified by the Australian Public Service Bargaining Framework (January 2011) (APSBF) which recommends that agencies provide 2 weeks additional paid leave to the 12 week entitlement under the Maternity Leave (Commonwealth Employees) Act 1973. The APSBF also recommends that arrangements for adopting / fostering a child mirror maternity leave entitlements (ie. 14 weeks) with a minimum of two weeks paid parental leave for supporting partners.

APS employees who receive paid maternity or parental leave will usually be paid at the same rate of pay they received before commencing their leave. As employee entitlements are managed by agencies in response to an employee's individual circumstances (ie classification level, duration of paid and unpaid leave, access to personal and other leave) it is not possible to accurately determine the nature of the Commonwealth liability for paid parental leave under all existing APS enterprise agreements.

To determine the Commonwealth liability for paid parental leave under existing APS enterprise agreements would require significant resources to be devoted to the task across multiple agencies.