

Chapter One

The Bill

Referral

1.1 The Workplace Relations Amendment (Paid Maternity Leave) Bill 2002 ('the bill') was introduced into the Senate by Senator Stott Despoja as a Private Senator's Bill on 16 May 2002. On 19 June 2002 the Senate adopted the Selection of Bills Committee recommendation to refer the provisions of the bill to this Committee for report by 18 September 2002.

1.2 Thirty-four submissions were received, and they are listed at Appendix 1. The Committee conducted a public hearing in Melbourne on 9 August 2002, and in Canberra on 22 August 2002. A list of witnesses who appeared at these hearings is at Appendix 2.

Reasons for referral

1.3 The Selection of Bills Committee Report contained the following reasons for referring the bill to the Committee:

To examine the provisions of the bill in relation to paid maternity leave, its length, level of payment, eligibility, coverage and exclusions, administrative arrangements, effect on women workers and their families, effect on employers and workplaces, effect on government (including financial impact), effect on government employees, relationship with international conventions and standards, and effects upon equal employment opportunity in the workplace.

Background to the bill

1.4 This bill originates from the policy platform of the Australian Democrats for the 2001 Federal Election. Democrats policy at the election was for the introduction of a statutory scheme of universal paid maternity leave for women in full time, part time and casual work. The current bill contains such a scheme, amended to allow 14 weeks leave instead of 12.

1.5 In her second reading speech, Senator Stott Despoja outlined the purpose of the bill as follows:

The Bill amends the Workplace Relations Act 1996 to provide a system of paid maternity leave, building upon that Act's existing provisions for unpaid parental leave. The Bill sets out the purpose, entitlement, level and method for this system, and it creates a Government funded Maternity Payment which will ensure comprehensive provision of at least basic maternity pay for all eligible Australian working women.

The Bill provides paid maternity leave for 14 weeks at or around the birth or adoption of a child for most Australian working women who have a child, at the level of the minimum wage, or if they usually earn less than this, at their normal wage.

The Bill provides this Maternity Payment by means of Government funds (paid for by employers and employees through their normal taxes).¹

1 Senate *Hansard*, 16 May 2002, p.1696.