

# Australia<sup>1</sup>

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NB. Australia is a federal state.

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For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the [members](#) page on the Leave Network website.

## 1. Current leave and other employment-related policies to support parents

**Note on federal and state industrial relations systems and awards:** In Australia, the employment conditions of most employees are set by federal legislation in combination with awards, collectively negotiated enterprise agreements and employer or company policies. Federal (Commonwealth) legislation and modern awards (which are prescriptive documents determined by the national industrial tribunal) form the safety net of terms and conditions of work. In addition, unions and individual employees may negotiate conditions above this safety net, and companies may also provide employment conditions above the safety net. Terms and conditions for employees of the public service in each of the states of Australia (with the exception of Victoria) are set by the relevant state legislatures and relevant state awards and agreements. The Fair Work Act 2009 (Commonwealth) provides ten National Employment Standards that prescribe the minimum set of entitlements for employees. One of these standards relates to unpaid Parental leave. This has been an entitlement under federal industrial relations legislation since 1994. Another standard is the right to request flexible working arrangements (see below).

**Note on terminology:** In Australia 'Parental leave' is an overarching gender-neutral term for unpaid leave entitlements in association with the birth or adoption of a child, rather than a separate entitlement in addition to Maternity and Paternity leave.

### a. Maternity leave

- In Australia, there is no statutory entitlement to specially designated 'Maternity' leave. Maternity (and Paternity) leave both fall under the definition of Parental leave (see 1c for details of the unpaid Parental leave entitlement under the

<sup>1</sup> Please cite as: Whitehouse, G., Baird, M. and Baxter, J.A. (2018) 'Australia country note', in Blum, S., Koslowski, A., Macht, A. and Moss, P. (eds.) *International Review of Leave Policies and Research 2018*. Available at: [http://www.leavenetwork.org/lp\\_and\\_r\\_reports/](http://www.leavenetwork.org/lp_and_r_reports/)

Fair Work Act 2009). Entitlements to payment under the Paid Parental Leave Act 2010 are also covered in 1c.

- Specific entitlements to Maternity leave payments may, however, be provided by employers. Employer-paid Maternity leave, usually at wage replacement level, has been available to many female employees through industrial instruments, company policies or legislation covering public sector employees in Australia's federal, state or territory jurisdictions.
- In 2016, according to a national survey, 57 per cent of employee mothers indicated their workplace offered paid Maternity leave. Another 30 per cent said their workplace did not offer paid Maternity leave and 13 per cent did not know. This is not very different to figures from five years prior, in which 53 per cent said their workplace offered paid Maternity leave, 29 per cent said it did not, and 17 per cent did not know.<sup>2</sup>
- For earlier estimates of access to employer-provided Maternity leave, see 2016 and 2017 chapters, which cite data from surveys of mothers and employers conducted in 2010 and 2012.

## **b. Paternity leave**

- As with Maternity leave, there is no specifically designated 'Paternity' leave in Australia, with provisions for unpaid leave incorporated into the Parental leave entitlement (see 1c for details). An entitlement to 'Dad and Partner Pay' was introduced in 2013. For births or adoptions after 1 January 2013, a father (or the mother's partner) may be entitled to up to two weeks' Dad and Partner Pay paid at a rate based on the national minimum wage: currently AUD\$18.29 [€11.79]<sup>3</sup> per hour or AUD\$694.90 [€447.94] per 38-hour week (before tax). This payment must be taken while on unpaid leave (such as the unpaid Parental leave available under the Fair Work Act) or while not working, and is non-transferrable.
- Employer-paid Paternity leave may also be available to some fathers and partners through company policies, industrial instruments or legislation covering public sector employees in Australia's various jurisdictions.
- In 2016, according to a national survey, 44 per cent of employee fathers indicated their workplace offered paid Paternity leave. Another 33 per cent said their workplace did not offer paid Paternity leave, with a significant proportion (22 per cent) not knowing about paid Paternity leave at their workplace. As with the figures for Maternity leave, there has not been much change in these figures over recent years: in 2011, 43 per cent said their workplace offered paid Paternity leave, 31 per cent said it did not, and 26 per cent did not know.<sup>4</sup>
- For earlier estimates of access to employer-provided paternity leave, see 2016 and 2017 chapters, which cite data from a survey of employers conducted in 2012.

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<sup>2</sup> Author calculations from the Household Income and Labour Dynamics in Australia (HILDA) Survey. The HILDA Project was initiated and is funded by the Australian Government Department of Social Services (DSS) and is managed by the Melbourne Institute of Applied Economic and Social Research.

<sup>3</sup> Conversion of currency undertaken on 13 June 2018, using: <http://finance.yahoo.com/currency-converter>

<sup>4</sup> Author calculations from the Household Income and Labour Dynamics in Australia (HILDA) Survey. The HILDA Project was initiated and is funded by the Australian Government Department of Social Services (DSS) and is managed by the Melbourne Institute of Applied Economic and Social Research.

## c. Parental leave

### *Length of leave*

- 12 months unpaid leave (with the possibility of extension to 24 months) is available under the Fair Work Act 2009 as elaborated below. Eighteen weeks of Parental Leave Pay is available under the Paid Parental Leave Act 2010, but this is a payment only and does not extend leave duration.
- A National Employment Standard in the Fair Work Act 2009 provides each working parent who meets the eligibility requirements with an entitlement to 12 months *unpaid* job protected Parental leave. This is an individual entitlement and (apart from the exception noted below) is available to a parent taking the 'primary carer' role for a child. If both parents are entitled to this leave they could each take 12 months sequentially, with a maximum of 24 months available for a working couple per birth. If one parent takes less than their entitlement, the other parent can extend their leave by an equivalent amount, up to 12 months if their partner takes no leave. Such an extension is only possible if the employer agrees – an employer has the right to refuse if the additional leave does not fit with the operational requirements of the business. Any agreement for an additional period of leave beyond the first 12 months will reduce the other parent or partner's entitlement by an equivalent amount. All leave must be taken within 24 months of the child's birth. For the mother, the leave can start from the birth date or adoption of the child, or from up to six weeks before the expected date of birth of the child, or earlier if the employer agrees. When both members of a couple are entitled to unpaid Parental leave under the National Employment Standard, they can take eight weeks of this leave at the same time; this leave has to be taken within 12 months of the birth or adoption, and can be taken by the partner who is not the primary carer in separate periods, provided that each period is no shorter than two weeks (a stipulation that can be waived if the employer agrees).
- Paid leave entitlements, such as employer-provided Maternity/Parental leave if available to employees through their employment conditions, and other forms of paid leave such as annual leave and long service leave, can also be used. However, for each period of paid leave used, the unpaid Parental leave entitlement is reduced by the same amount so that the maximum time available for Parental leave per family is still two years. The government-funded 18 weeks Parental Leave Pay does not reduce or extend the duration of unpaid Parental leave available as it is an entitlement to pay rather than to leave.

### *Payment and funding*

- Parental Leave Pay (provided under the Paid Parental Leave Act 2010) is paid to eligible mothers at a rate based on the national minimum wage (currently AUD\$18.29 [€11.79] per hour or AUD\$694.90 [€447.94] per week) for up to 18 weeks following the birth or adoption of a child. In some circumstances, it can be transferred to the father or other primary carer; the 18 weeks' pay is, therefore, a family entitlement that initially goes to the mother. It represents 49 per cent of average full-time, adult, ordinary-time female earnings as at

November 2017<sup>5</sup>. Parental Leave Pay can be received during unpaid leave or while on paid leave, such as employer-paid Maternity leave or annual leave. Payment is funded from general revenue, with the majority of mothers (or designated primary carers) receiving it via their employer<sup>6</sup> and others receiving it directly from the government. In the 2016-17 financial year 68.5 per cent of Parental Leave Pay recipients received this government-funded payment via their employer<sup>7</sup>.

- Dad and Partner Pay is paid to eligible fathers/partners at the same rate as Parental Leave Pay (i.e. based on the national minimum wage). Unlike Parental Leave Pay, the two weeks' Dad and Partner Pay cannot be taken concurrently with other paid leave; it must be taken while on unpaid leave (such as the statutory entitlement to unpaid Parental leave) or while not working. Employers can top up Dad and Partner Pay (for example, to employees' normal wage), and this does not affect eligibility to the payment.
- As noted in 1a and 1b, some employees also have access to employer provided paid leave. In some cases, this is specifically designated 'Primary Carer' or 'Parental' leave rather than Maternity or Paternity leave. The Workplace Gender Equality Agency (WGEA), which records provision of paid parental leave by private sector companies with 100 or more employees, reported that 46 per cent of these companies provided primary carer's leave for an average duration of ten weeks in 2017<sup>8</sup>. The majority of these employers (80 per cent) offered full-pay in addition to the government scheme<sup>8</sup>.
- For earlier estimates of access to employer-provided parental and primary carer leave not limited to large employers, see 2016 and 2017 chapters, which cite data from a survey of employers conducted in 2012.
- In Australia retirement benefits are based on superannuation (paid by a mix of employee and employer contributions) and a publicly funded Age Pension. It is compulsory for employers to make contributions to eligible employees' superannuation funds and additional voluntary contributions are encouraged through tax concessions. These contributions continue when employees take most forms of paid leave. However, no superannuation contributions are made by the government while parents are on paid Parental leave; and employers are not required to make superannuation contributions for parents on unpaid leave, unless those parents are making voluntary contributions to superannuation during this time.

### *Flexibility in use*

- Under the National Employment Standard in the Fair Work Act, each parent is entitled to 12 months unpaid Parental leave, however both parents cannot access this leave at the same time. An exception is that the parent who is not

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<sup>5</sup> Australian Bureau of Statistics (2018) *Average Weekly Earnings, Australia, November 2017*, Cat. No. 6302.0. Available at: <http://abs.gov.au>

<sup>6</sup> Employers are required to deliver the payment when it is for Australian-based employees who have worked with them for 12 months before the expected date of birth or adoption, who will be with them for their Parental Leave Pay period and who are expected to receive at least eight weeks of Parental Leave Pay.

<sup>7</sup> Australian Government Department of Social Services (2017) *2016-17. Annual Report*, p.59. Available at: [https://www.dss.gov.au/sites/default/files/documents/10\\_2017/dss-annual-report-2016-17\\_mg.pdf](https://www.dss.gov.au/sites/default/files/documents/10_2017/dss-annual-report-2016-17_mg.pdf)

<sup>8</sup> Workplace Gender Equality Agency (WGEA), Data Explorer: [http://data.wgea.gov.au/industries/1#carers\\_content](http://data.wgea.gov.au/industries/1#carers_content)

in the primary carer role can take unpaid leave for up to eight weeks concurrently with the primary carer during the 12 months following the birth or adoption. A measure of flexibility is that this leave may be taken in separate periods at any time during the first 12 months.

- Parental Leave Pay can also be transferred from one parent to the other where the primary carer for the child (i.e. the parent on leave) also changes and the recipient meets the eligibility criteria. This includes, in the case of separated parents, being able to transfer an unused portion of the parental leave pay to the child's other legal parent or the partner of that other parent, should they also meet the eligibility criteria.
- Unpaid Parental leave and Parental Leave Pay must be taken in one continuous period; starting from the birth date or later in the case of Parental Leave Pay, although the full Parental Leave Pay period must be completed by 12 months after the birth.
- Flexibility is sometimes available with employer-paid Maternity, Paternity and Primary Carer or Parental leave: while this is usually paid at the employee's normal pay rate, in some cases there are provisions to double the duration by taking the leave at half pay. According to a 2011 national survey of mothers with children up to two years, of those who took employer-paid Maternity leave, about half took this leave at half pay. A small number of these mothers took some at half pay and some at full pay. Use of half pay was somewhat more likely for those who had worked in the public sector, or had worked in a full-time job, while pregnant with their youngest child.<sup>9</sup>

*Eligibility (e.g. related to employment or family circumstances)*

- Employees in permanent positions and on fixed-term contracts (full- or part-time) are eligible for the unpaid statutory leave provisions under the Fair Work Act 2009, provided they have 12 months continuous service with the same employer immediately before the date or expected date of birth, or the date of placement in the case of adoption. However, workers on fixed-term contracts are not entitled to return to the same job if their contract ends while they are on leave – that is, the employer is not required to extend the contract period by the amount of leave taken.
- Casual (hourly paid) employees are also eligible for the above entitlements provided that they have been engaged on a regular and systematic basis for at least 12 months and have a reasonable expectation of continuing regular employment.
- Self-employed workers (not classified as employees) and the unemployed are not covered by the provisions of the Fair Work Act 2009 and therefore do not receive unpaid Parental leave under the Act. Self-employed workers, however, do have access to government-funded Parental Leave Pay.
- Unpaid leave can be accessed for up to 24 months by an employee couple in a spousal or de-facto relationship; same sex relationships are recognised for unpaid Parental leave entitlements under the Fair Work Act 2009.
- To be eligible for the government-funded 18-week Parental Leave Pay, the primary carer (usually the mother) must be an Australian resident, in paid work, whether permanent, fixed-term or casual, and including self-employment, and have been engaged in work continuously, with no more than an eight-week gap between any two consecutive working days, for at least ten of the 13 months

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<sup>9</sup> Australian Bureau of Statistics (2012) *Pregnancy and Employment Transitions, Australia, November 2011*, Cat. No. 4913.0.

prior to the expected birth or adoption of the child and undertaken at least 330 hours of paid work in the ten-month period.

- Eligibility for the government-funded two weeks' Dad and Partner Pay is based on the same requirements as Parental Leave Pay, and is similarly available to those in self-employment. For children born or adopted after 1 March 2014, claimants can count any Paid Parental Leave or Dad and Partner Pay periods taken in the 13 months prior to the birth or adoption towards this work test.
- Government-funded Parental Leave Pay is restricted to those individuals earning less than AUD\$150,000 [€96,690.93] per year or around 2.05x the average full-time, adult, ordinary-time female earnings in November 2017<sup>10</sup>.
- The government-funded Parental Leave Pay can be taken in addition to other forms of paid leave to which the employee may be eligible (annual leave, long service leave, employer-funded Maternity or Parental leave) but must be taken before the employee returns to work and before the child's first birthday.
- Any unused portion of the Parental Leave Pay can be transferred to another primary caregiver (usually the father, but potentially a partner who is not a biological parent, including a same-sex partner) if they also meet the eligibility criteria; or in exceptional circumstances (such as a sole parent mother being unable to care for a child) the payment could be transferred to another primary carer such as a grandparent. The unused portion can also be transferred to the child's other parent or their partner, if they meet eligibility requirements, in the case of separated families.
- Where employees are covered by an existing industrial instrument that includes employer-paid Maternity, Paternity or Parental leave, that entitlement cannot be withdrawn during the life of the agreement; the government-funded Parental leave scheme is in addition to any existing employment conditions.
- Parents who are not in work are not eligible for Parental Leave Pay or Dad and Partner Pay, but may be eligible for the Newborn Upfront Payment (currently AUD\$ 540 [€348.09] and Newborn supplement (dependent on family income and number of children, current maximum payment AUD\$1,619 [€1,043.62] for a first child).

*Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents*

- Special unpaid Maternity leave may be taken in cases of pregnancy-related illness or if the pregnancy ends within 28 weeks of the expected date of delivery otherwise than by the birth of a live child. Mothers who use special Maternity leave (for example, due to a pregnancy related illness) are still entitled to the full 12 months unpaid Parental leave under the Fair Work Act.

*Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)*

- Employer-paid Parental leave, sometimes specified as paid Maternity, Paternity or Primary Carer leave, is available in some industrial instruments and company policies. As explained earlier, these provisions are usually at full replacement salary and on this measure exceed statutory entitlements.

#### **d. Statutory childcare leave or career breaks**

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<sup>10</sup> Australian Bureau of Statistics (2018) *Average Weekly Earnings, Australia, November 2017*, Cat. No. 6302.0. Available at: <http://abs.gov.au>

- No statutory entitlement.

## **e. Other statutory employment-related measures**

### *Adoption leave and pay*

- The same statutory rights to unpaid Parental leave and Parental Leave Pay apply when a child under 16 years old is adopted, however Parental Leave Pay may not be available in cases where a child has been living with the adoptive parents prior to the adoption (for example with the formal adoption of a step-child).

### *Time off for the care of dependants*

- Under the National Employment Standards of the Fair Work Act 2009 all employees (except casuals) have access to ten working days of paid personal/carer's leave per year of service. In addition, all employees (including casuals) can access up to two working days unpaid carer's leave for each 'permissible occasion' provided paid personal leave has not been exhausted. Paid personal/carer's leave includes 'sick' leave and may be taken because of a personal illness, or to provide care or support to a member of the employee's immediate family or household who is ill or injured, or in the case of an unexpected family emergency. Similarly, unpaid carer's leave may be taken to provide care for an immediate family or household member due to illness, injury or an unexpected emergency.

### *Flexible work arrangements*

- One of the ten National Employment Standards contained in the Fair Work Act 2009 provides eligible parents with a statutory right to request flexible working arrangements. The range of employees entitled to request such arrangements currently includes employees with caring responsibilities, parents or guardians of children who are school age or younger, employees with a disability, employees aged 55 years or over and employees experiencing family violence or caring for a family or household member who is experiencing family violence. An employer must respond to a request within 21 days and may refuse the request only on 'reasonable business grounds'. While examples of 'reasonable business grounds' are provided in the legislation these do not limit what might be included. The request is ultimately not enforceable by any third-party body.
- Modern awards and enterprise agreements are required to include provisions for employers to consult with employees over any proposed changes to rosters and ordinary working hours, and to consult genuinely with employees about the impact of changes on their family and caring responsibilities.

### *Specific provision for (breast-)feeding*

- Neither federal nor State/Territory laws provide an explicit right to paid breaks for breastfeeding or to express milk at work. However, rights not to be

discriminated against on the basis of sex exist in all Australian jurisdictions and explicitly or implicitly cover breastfeeding<sup>11</sup>.

- The Commonwealth Sex Discrimination Act 1984 (s7AA) expressly prohibits employers from treating women less favourably because of their breastfeeding or expressing of milk, or the imposition of an unreasonable condition or practice by an employer affecting all employees but likely to disadvantage such women.

#### *Transfer to safe job*

- All pregnant employees, regardless of period of service, have the entitlement to be transferred to a safe job. If no safe job is available, an entitlement to 'paid no safe job leave' is available for those eligible for unpaid Parental leave, while those not eligible for unpaid Parental leave are entitled to 'unpaid no safe job leave'.

## **2. Relationship between leave policy and early childhood education and care policy**

The maximum period of post-natal leave available for mothers and fathers/partners combined in Australia is 24 months, including up to 20 weeks paid by the government at a flat-rate based on the national minimum wage (this is made up of the 18 weeks' Paid Parental Leave entitlement and the two weeks' Dad and Partner Pay entitlement).

There is no entitlement to ECEC. Improving access to 15 hours of quality nursery education for children in the year before compulsory schooling (i.e. from around age five years) has been a government priority over recent years, through the National Partnerships Agreements.<sup>12</sup> Levels of attendance at formal services for children under three are around the average for the countries included in this review and for OECD countries; but well below average for children over three years. For attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

## **3. Changes in policy since April 2017 (including proposals currently under discussion)**

No changes in the Paid Parental Leave scheme have taken place since April 2017. As indicated in last year's note, changes initiated in early 2017 are no longer being pursued by the government.

In July 2018, a new Childcare Subsidy (CCS) will come into effect, simplifying the existing subsidy system that comprises two different payments. Eligibility to CCS will depend on family income, the activity level of both parents, and the type of service used. With some exceptions, both parents (or a single parent) will be required to meet an activity threshold of at least eight hours per fortnight in order to be eligible for CCS. Further, the number of hours of activity beyond this threshold will determine

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<sup>11</sup> Australian Human Rights Commission (2014) *Supporting Working: Pregnancy and Return to Work. National Review - Report*, p. 116. Available at: [https://www.humanrights.gov.au/sites/default/files/document/publication/SWP\\_Report\\_2014.pdf](https://www.humanrights.gov.au/sites/default/files/document/publication/SWP_Report_2014.pdf)

<sup>12</sup> For information about these agreements, see <https://www.education.gov.au/national-partnership-agreements>



the level of subsidy. For example, a total of 8 to 16 hours of approved activity per fortnight will be associated with a maximum of 36 hours of subsidised care per child per fortnight. If the approved activity total is more than 48 hours per fortnight, up to 100 hours of subsidised care can be accessed. Approved alternatives to paid work include working unpaid in a family business, being self-employed, looking for work, volunteering or studying<sup>13</sup>. Some families will be exempt from the activity requirements, and in particular as part of the Child Care Safety Net, low income families (less than AUD\$66,958 [€43,161.54] per year) will be able to access 24 hours of subsidised care per child per fortnight without having to meet the activity test. CCS will be calculated as a percentage of child care fees, up to a maximum rate cap established for each service type, with the percentage varying by family income category. Higher percentages will apply for lower income families, and families whose joint income exceeds AUD\$351,248 [€226,416.63] will not be eligible for CCS<sup>14</sup>.

## 4. Take-up of leave

The most comprehensive sources of information on leave take-up rates in Australia remain the Baseline Mothers survey (2010), the Family and Work Cohort survey (first two waves conducted in 2012) and two online surveys of fathers (conducted in 2013) – all of which were undertaken as part of the evaluation of the Paid Parental Leave and Dad and Partner Pay schemes. An extension of the Family and Work Cohort survey (the Millennium Mums survey, which added three more waves of data collection in 2013, 2014 and 2015) provides some additional information. These sources, complemented with information from the most recent Department of Social Services annual report are again drawn on to provide an overview of leave take-up.

### a. Maternity leave

As explained earlier (1a), the term ‘Maternity leave’ is used in Australia primarily for employer-paid provisions. Comparisons between the 2010 Baseline Mothers survey and the first wave of the Family and Work Cohort survey (2012) indicate that take-up and average duration of employer-paid Maternity leave did not change significantly over this two year period: in both years 46 per cent of mothers eligible for payments under the Paid Parental Leave scheme who reported they had access to at least one form of leave took some employer-paid Maternity leave, for an average duration of 3.7 months<sup>15</sup>.

### b. Paternity leave

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<sup>13</sup> Australian Government, Department of Education and Training: <https://www.education.gov.au/child-care-subsidy-activity-test>. For more information about the child care package see <https://www.education.gov.au/new-child-care-package-families-2-july-2018>

<sup>14</sup> Australian Government, Department of Education and Training: <https://www.education.gov.au/child-care-subsidy-combined-family-income>

<sup>15</sup> Martin, B. et al. (2015a) Paid Parental Leave Evaluation: Phase 3 Report. Canberra: Department of Social Services, p.70. Available at: <https://www.dss.gov.au/our-responsibilities/families-and-children/programmes-services/paid-parental-leave-scheme/paid-parental-leave-evaluation-phase-3-report>

Note that differences between figures presented here and take-up rates reported in the 2014 country note are primarily due to differences in population bases; for example the 46 per cent figure cited here is of those who reported they had access to at least one form of leave at the time.

As noted in 1b, Australian fathers may have access to employer-paid Paternity leave as well as the government-funded Dad and Partner Pay scheme which commenced in January 2013. Information on take-up of the former is available from an online survey of employed fathers whose babies were born in September 2012 (prior to the introduction of the Dad and Partner Pay scheme). This survey, conducted as part of the evaluation of the Paid Parental Leave and Dad and Partner Pay schemes, showed that among the 1,115 respondents around 25 per cent reported taking some employer-paid Parental leave in the first six months after the birth; a figure that represents 81 per cent of those who reported having access to this form of leave<sup>16</sup>. Data from the 2014 wave of the Millennium Mums survey indicate that little changed in the uptake of these forms of leave after the introduction of Dad and Partner Pay: among respondents at this time, 78 per cent of fathers reported as having access to employer-paid parental leave took it (for an average duration of 1.9 weeks)<sup>17</sup>.

Turning to the Dad and Partner Pay scheme, the Australian Government has reported that in the 2016-17 financial year 83,600 fathers or partners received payment under this scheme, with the vast majority (96.4 per cent) taking the full two weeks' payment<sup>18</sup>. Data from an online survey of employed fathers with a baby born in April 2013 (after commencement of the Dad and Partner Pay scheme), also conducted as part of the evaluation of the Paid Parental Leave and Dad and Partner Pay schemes, showed that 36 per cent of the 1,208 respondents took Dad and Partner Pay in the first six months of their baby's life, with take-up of this government-funded payment highest among those least likely to have access to other sources of leave payment (for example, the take-up rate was around 50 per cent among employees on casual contracts and self-employed workers)<sup>19</sup>. This survey also showed that around one-quarter of working fathers responding to the survey had not heard of the Dad and Partner Pay scheme and that the overall take-up rate among those aware of the scheme was around 50 per cent.

### **c. Parental leave**

The entitlement to 12 months' unpaid Parental leave in the National Employment Standard under the Fair Work Act is available to and utilised by most working mothers: among respondents to the first wave of the Family and Work Cohort survey in 2012, 63 per cent of mothers eligible for payment under the Paid Parental Leave scheme took some unpaid Parental leave for an average period of 5.6 months. This was a slight increase since the Baseline Mothers survey in 2010, in which 60 per cent of respondents reported using this kind of leave for an average period of almost six months<sup>20</sup>. Take-up of unpaid Parental leave among fathers appears to be considerably lower. Among respondents to the online survey of employed fathers with a child born in September 2012 prior to the introduction of the Dad and Partner Pay scheme, only 6.4 per cent reported taking unpaid Parental leave in the first six

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<sup>16</sup> Estimates from Martin et al. (2015b) *PPL Evaluation: Phase 4 Report*. Canberra: Department of Social Services, pp.106-109, Tables 7.1 and 7.2. Available at: <https://www.dss.gov.au/our-responsibilities/families-and-children/programmes-services/paid-parental-leave-scheme/paid-parental-leave-evaluation-phase-4-report>

<sup>17</sup> Hewitt, B. with Baird, M., Baxter, J., Brady, M., Coles, L., Dickenson, J., Strazdins, L., Whitehouse, G., Xiang, N. and Yerkes, M. (2017) *Millennium Mums Report, Waves 1-5*, Institute for Social Science Research, The University of Queensland, p.32. Available at: [http://www.issr.uq.edu.au/filething/get/41035/MillenniumMumsReport\\_DRAFT\\_DSS%20combined%20comments\\_clean\\_final.pdf](http://www.issr.uq.edu.au/filething/get/41035/MillenniumMumsReport_DRAFT_DSS%20combined%20comments_clean_final.pdf)

<sup>18</sup> Australian Government Department of Social Services (2017) p.59.

<sup>19</sup> Martin et al. (2015b), p.123.

<sup>20</sup> Martin et al. (2015a), p.70.

months<sup>21</sup>. Fathers' use of unpaid Parental leave is likely to have increased following the introduction of the Dad and Partner Pay scheme as this payment is only accessible while on unpaid leave: preliminary evidence for this, based on matched survey data and in-depth interviews, is presented in the Final Report of the Paid Parental Leave scheme evaluation<sup>22</sup>.

Available data on Parental Leave Pay indicate that it is accessible to a high proportion of working parents, although it is particularly targeted at mothers, who are the main users of the scheme. Government figures indicate that in the 2016-17 financial year 52.7 per cent of all mothers with new-borns received some Parental Leave Pay, and 96.7 per cent of families who accessed Parental Leave Pay took the full 18 weeks<sup>23</sup>. Data collected in the 2013, 2014 and 2015 waves of the Millennium Mums survey indicate that a small proportion of mothers (7 per cent, 9 per cent and 14 per cent of respondents respectively) extended their labour force participation to ensure they qualified for Parental Leave Pay<sup>24</sup>.

#### **d. Other employment-related measures**

The 2012 Family and Work Cohort survey also provides some information on the take-up of a range of other employment-related measures by mothers. Among respondents to this survey (mothers eligible to receive payment under the Paid Parental Leave scheme) who had returned to work by the time their child was 12 months old, and whose job conditions had changed on their return to work, similar proportions (around 60 per cent) reported having used permanent part-time arrangements and flexible hours, while around one third reported using work from home arrangements<sup>25</sup>.

### **5. Research and publications on leave and other employment-related policies since April 2017**

Please be aware that this is not intended to be a comprehensive list of all publications or research in this area for this country. If you are aware of a publication or research that could be listed in this section, please contact the country note author(s) so that they can include it for the following year.

#### **a. General overview**

None reported.

#### **b. Selected recent publications**

Grant-Smith, D., Osbourne, N. and Johnson, L. (2017) 'Managing the challenges of combining mobilities of care and commuting: an Australian perspective'. *Community, Work and Family*, Vol. 20, No.2: 201-210.

<sup>21</sup> Martin et al. (2015b), p.109, Table 7.2.

<sup>22</sup> Martin et al. (2015b), pp.126-7. Note that the figures in Table 7.5 are based on samples used for propensity scoring and thus are not strictly equivalent to population estimates.

<sup>23</sup> Australian Government Department of Social Services (2017), p. 59.

<sup>24</sup> Hewitt, B. et.al. p.16.

<sup>25</sup> Martin et al. (2015b), p.78, Table 4.6. Note that these figures are based on samples used for propensity scoring hence the estimates are not strictly equivalent to population estimates. Also the high proportions reported reflect the population base which is mothers whose job conditions changed on return to work.

This policy note considers the needs of working women as they navigate their daily 'mobilities of care', extending that concept by combining an intersectional perspective on transport with principles embodied in the child-friendly cities agenda. It contributes to policy debates over public transport and the infrastructure for care in Australia.

Williams, P., McDonald, P. and Cathcart, A. (2017) 'Executive level support for flexible working arrangements in a large insurance organization', *Asia Pacific Journal of Human Resource Management*, Vol.53, No.3: 337-355.

This article explores how executives in a large Australian insurance company signal support for the implementation of flexible working arrangements to subordinate supervisors. The findings indicate that this occurs through statements encouraging the use of flexible working arrangements, reports and executives' own use of such arrangements. Executives' interpretation and implementation of HR policy is also shown to be influenced by the strategic context, especially profitability and risk aversion.

Baird, M., Cooper, R., Hill, E., Probyn, E. and Vromen, A. (2018) 'The Australian Women's Work Future Study'. Available at

[http://sydney.edu.au/business/\\_data/assets/pdf\\_file/0008/348371/Women-and-the-Future-of-Work-Report\\_Final\\_060318.pdf](http://sydney.edu.au/business/_data/assets/pdf_file/0008/348371/Women-and-the-Future-of-Work-Report_Final_060318.pdf)

This report provides data on what women (and men) rate as important at work (including paid parental leave and flexibility) and their future expectations of having children.

Foley, M., Baird, M. and Cooper, R. (2018) 'Is independence really an opportunity? The experience of entrepreneur-mothers', *Journal of Small Business and Enterprise Development*, Vol.25, No.2: 313-329.

This journal article analyses how mothers use self-employment as a way of achieving the flexibility needed to be both a good mother and maintain a career. It challenges the traditional push-pull theory of female entrepreneurial activity.

### **c. Ongoing research**

*Customising work through manager-employee exchange* (2012-2017). Paula McDonald, Keith Townsend, Abby Cathcart, Penny Williams, Sylvia Roux, Melinda Laundon. Funded by the Australian Research Council (ARC) and the Australian Defence Force (ADF).

The Customising Work project draws on organisational case studies and over 300 in-depth interviews in three diverse industries – the ADF, a large banking and finance institution, and five small NGOs – to examine the processes of social exchange between different levels of managers and their subordinates in how requests for leave and flexible work are made and responded to. The study began in 2012 with the award of an ARC Discovery grant with co-funding from the ADF. The results of the research have raised new and significant issues relevant to accessing leave and flexibility, especially with respect to employee silence, work design, reward and recognition, and how organisations signal support (or not) for workplace adjustments. The findings have shaped policy decisions in relation to workplace flexibility in the case organisations, and continue to stimulate public debate through public and industry forums and submissions to national enquiries. Contact: Paula McDonald [p.mcdonald@qut.edu.au](mailto:p.mcdonald@qut.edu.au)