



## 1. Purpose

Wolters Kluwer Asia Pacific (**Wolters Kluwer**) recognizes the importance of creating a family friendly environment for its employees and has taken a number of initiatives to support this purpose. Wolters Kluwer understands that enabling employees to fulfil their family responsibility is part of having a balanced working life.

This policy will serve to provide clarity on Parental Leave at Wolters Kluwer as governed by the Fair Work Act 2009 (Cth), as well as the Australian Government's Paid Parental Leave scheme (**PPL**). It also outlines the additional Parental Leave benefits provided to eligible employees by Wolters Kluwer.

## 2. Application

This policy applies to all Australian permanent employees, whether full-time, part-time or casual (as defined below at 2.1) of Wolters Kluwer, who have completed twelve months continuous service. In this Policy, all people to whom the Policy applies are referred to as "**workplace participants**".

Parental leave is available to a workplace participant when they/their partner are either having a baby or adopting a baby (under five years of age). Wolters Kluwer offers a paid parental leave benefit to eligible workplace participants in conjunction with the Australian Government's PPL. Therefore, Parental leave may be paid, unpaid or a combination of both.

### 2.1. Definitions

**Adoption leave** means time away from work allowed to a workplace participant for dealing with matters relating to the adoption of a child.

**Casual Workplace participant** means a workplace participant who has been employed by Wolters Kluwer on a regular and systematic basis for a sequence of periods over at least 12 months and had it not been for the birth (or expected birth) or adoption (or expected adoption) of a child, they would have a reasonable expectation of continuing employment by the employer on a regular and systematic basis.

**De facto partner** of an workplace participant, means a person who, although not legally married to the workplace participant, lives with the workplace participant in a relationship as a couple on a genuine domestic basis (whether the workplace participant and the person are of the same sex or different sexes), and includes a former de facto partner of the workplace participant.

**Eligible casual workplace participant** is a casual workplace participant who has been engaged on a regular and systematic basis for a sequence of periods of employment during a period of at least 12 months, and who, but for an expected birth or an expected placement of a child, would have a reasonable expectation of continuing engagements on a regular and systematic basis.

**Maternity leave** is an workplace participant benefit given to women that provides paid or unpaid time off work to care for a child or make arrangements for the child's welfare around the time of birth.

**Medical certificate** means a certificate signed by a registered health practitioner.

**Medical practitioner** means a person registered, or licensed, as a medical practitioner under a law of a State or Territory that provides for the registration or licensing of medical practitioners.

**Parental leave** refers to adoption, maternity of paternity leave as the case may be.

**Paternity leave** is an workplace participant benefit given to men that provides paid or unpaid time off work to care for a child or make arrangements for the child's welfare around the time of a new birth.

**Time** refers to the date a period of parental leave covered by this Policy is due to commence, or commences, or the expected date of birth of a child or date of birth, or the date of placement of the child (in the case of adoption leave).

**Spouse** means a spouse of any gender including:

- (a) a former spouse;
- (b) a de facto partner; and

- (c) a former de facto partner.

### 3. Policy & Procedure

#### 3.1. Eligibility

A workplace participant is entitled to Parental leave if:

- The workplace participant is a permanent full-time, part-time workplace participant or casual workplace participant (as defined in 2.1) of Wolters Kluwer; and
- The workplace participant, at the date of which the workplace participant's period of leave is to start, has completed twelve months continuous service; and
- The leave is associated with
  - the birth of a child of the workplace participant or the workplace participant's spouse or de facto partner; or
  - the placement of a child with the workplace participant for adoption.
- The workplace participant has or will have a responsibility for the care of the child.

#### 3.2. Entitlement

Eligible workplace participants may apply for the following types of Parental leave that could be paid, unpaid or a combination of both and is inclusive of the PPL scheme:

- **Maternity Leave - (For workplace participants eligible for Government Paid Parental Leave Scheme)**
  - A total of **52 weeks** paid and unpaid leave, made up of:
    - **18 weeks** paid Maternity Leave (inclusive of Government PPL ie Wolters Kluwer will top up Government [PPL](#) to workplace participant's current ordinary base rate); and/or
    - **34 weeks** unpaid Maternity Leave (to run consecutively)
    - If a workplace participant is entitled to Annual Leave or Long Service Leave, it may be taken instead of the unpaid Maternity Leave Period thereby reducing the duration of unpaid Maternity Leave.
  - a further **52 weeks** unpaid leave may be requested in writing if workplace participant is the primary care giver and wishes to do so.
    - This will be reduced by any Paternity/Spouse Leave that the workplace participant's partner takes in connection with the same child.
- **Maternity Leave - (For workplace participants who are not eligible for Government Paid Parental Leave Scheme)**
  - A total of **52 weeks** paid and unpaid leave, made up of:
    - **12 weeks** paid Maternity Leave; and/or
    - **40 weeks** unpaid Maternity Leave (to run consecutively)
    - If a workplace participant is entitled to Annual Leave or Long Service Leave, it may be taken instead of the unpaid Maternity Leave Period thereby reducing the duration of unpaid Maternity Leave.
  - a further **52 weeks** unpaid leave may be requested in writing if workplace participant is the primary care giver and wishes to do so.
    - This will be reduced by any Paternity/Spouse Leave that the workplace participant's partner takes in connection with the same child.

*Please note Maternity leave is 52 weeks inclusive of Paid and Unpaid leave and must be taken in a single continuous period.*

*Please note it is at the discretion of Wolters Kluwer to accept or decline, on reasonable business grounds, a request for a further 52 weeks unpaid leave.*

*Please refer to clause 3.4 for further information on eligibility under the Government Paid Parental Leave Scheme.*

- **Paternity/Spouse Leave**
  - **2 weeks** paid Paternity/Spouse Leave for workplace participant's partner when having a baby or adopting a child.
    - May be taken concurrently to spouse or de facto's parental leave.
  - **1 week** unpaid concurrent Paternity/Spouse Leave at the time of the child's birth, in addition to the two weeks' paid paternity leave when requested.
  - **50 weeks** unpaid leave if workplace participant is the child's primary care giver (must be taken

before the child's first birthdate).

- **Adoption Leave**

- For workplace participants adopting a child under five (5), adoption leave will be as per the maternity leave provisions;
- Adoption Leave does not apply if the adopted child has lived with the workplace participant continuously for six months before the date of adoption;
- Unpaid Pre-adoption Leave is available to workplace participants who are adopting a child.
  - Workplace participants are entitled to **2 days'** unpaid leave;
  - Evidence of the adoption taking place need to be provided.
- All workplace participants (regardless of their length of service) are entitled to up to two days of unpaid pre-adoption leave to attend any interviews or examinations required for the adoption of a child.

### 3.3. Workplace participant Responsibility

The workplace participant applying for parental leave is responsible for:

- ❖ Filling out a Leave Application form and supplying Wolters Kluwer with a letter requesting parental leave, clearly outlining the dates and duration of leave; (please refer to the Parental Leave Application Form - Parental Leave Information)
- ❖ Supplying Wolters Kluwer with at least 8 weeks' notice before the date of confinement, with either a medical certificate confirming the pregnancy or evidence of adoption; date of birth of the child or estimated date of adoption;
- ❖ Contacting the line manager if anything unforeseen occurs with the pregnancy/adoption;
- ❖ Asking for permission in writing from the line manager if the workplace participant wants to perform other work once in unpaid parental leave;
- ❖ Giving Wolters Kluwer at least four weeks' notice in writing if workplace participant wants to extend or shorten the period of parental leave (up to a maximum of 104 weeks including any other type of leave taken consecutively);
- ❖ Giving Wolters Kluwer at least 8 weeks of written notice for confirmation to return to work.
- ❖ Giving Wolters Kluwer at least 8 weeks of written notice if requesting for an extension of 52 weeks unpaid parental leave.

If you wish to come back on a part-time basis, please refer to clause 3.9.

### 3.4. Australian Government's PPL Scheme (for Eligible Workplace participants)

The Australian Government's national Paid Parental Leave scheme helps working parents spend more time at home with a new baby in the vital early months.

The scheme provides eligible parents with **up to 18 weeks** Parental Leave pay at the National Minimum Wage (please check the [Family Assistance website](#) for up-to-date information) for children born or adopted from 1 January 2011. As above, the PPL scheme is to be in conjunction with Wolter Kluwer's paid Parental Leave entitlements.

#### 3.4.1. Eligibility

Eligibility for the scheme includes:

- Work Test - *must have worked continuously for at least 10 of the 13 months prior to the birth and must have worked at least 330 hours in that 10 month period (around 1 day per week).*
- Income Test - *workplace participant must be earning <\$150,000 per annum*
- Australian Residency Test
- Be the primary care giver of the child
- Has not returned to work
- Has not received the baby bonus
- Has verified the birth.

The eligibility for PPL is solely assessed by the Family Assistance Office (FAO). Centrelink will inform CCH once eligibility is assessed and successful. For any clarifications in relation to eligibility, please contact the FAO.

#### 3.4.2. Process

The PPL is administered by the FAO/Centrelink, who will make payments to Wolters Kluwer, who will then pay the workplace participant the amount (less applicable income tax) on the regular pay run.

Please note:

- It is the responsibility of the workplace participant to contact the FAO/Centrelink to apply for payments;
- Wolters Kluwer will not make any payments before they receive the money for the payment from Centrelink;
- Wolters Kluwer will not pay superannuation on the government PPL's payments;
- A payslip will be provided to an workplace participant and loaded up to ConnX after each paid parental leave payment is made;
- Full-time, part-time and casual workplace participants receive the **same amount** of government parental leave pay if eligible;
- Payments must be made in one continuous period

### 3.4.3. Worked Examples - Workplace participants who are eligible for the Government Paid Parental Leave Scheme

Type	Example Ordinary Earnings (OE)					
Eg. Base Salary (OE)	\$46,000.00	\$65,000.00	\$80,000.00	\$100,000.00	\$120,000.00	\$150,000.00
Workplace participant Receives 18 weeks Pay of Base Salary (OE)	\$15,923.08	\$22,500.00	\$27,692.31	\$34,615.38	\$41,538.46	\$51,923.08
Consisting of:						
PPL @ Minimum Wage (may be subject to change)	\$10,915.20	\$10,915.20	\$10,915.20	\$10,915.20	\$10,915.20	\$10,915.20
Wolters Kluwer Top Up (difference between Base Salary and PPL)	\$5,007.88	\$11,584.80	\$16,777.11	\$23,700.18	\$30,623.26	\$41,007.86

Things to consider:

Families who are not eligible for Paid Parental Leave, or who choose not to take it, can still access the Baby Bonus and Family Tax Benefit (Part A and B) under the usual rules. Please check the Family Assistance website for more details.

### 3.5. Benefit Accruals (eg Leave)

All benefits that normally accrue during the course of employment will continue to accrue for the paid periods and freeze during the unpaid periods until the workplace participant returns to work.

#### Service

Accessing unpaid Parental Leave does not break the continuity of service of a workplace participant.

### 3.6. Superannuation

Wolters Kluwer will continue ordinary company superannuation contributions only during a period of company paid parental leave.

Please note Wolters Kluwer will not be responsible for any superannuation contributions during any other period of unpaid parental leave. A workplace participant who wants to continue with voluntary superannuation contributions during a period of unpaid parental leave will need to make his or her own arrangements with the superannuation fund administrator.

### 3.7. Salary Continuance Insurance

Wolters Kluwer will maintain Salary Continuance (Income Protection) Insurance for workplace participants who are on parental leave up to 24 months provided:

- Immediately prior to commencing the period of leave the insured member was at work;
- The Insured Member does not join the armed forces (excluding Australian Army Reservists not deployed overseas)
- Insured Member remains employed by Wolters Kluwer

As per the policy, if you return to permanent part-time work from parental leave and are working less than 15 hours per week, you will not be eligible to be covered by Salary Continuance Insurance.

For more information, please see the Remuneration & Benefits Consultant.

### 3.8. Tool of Trade/Car Allowances and Novated Lease Vehicles

#### 3.8.1. Tool of Trade Vehicle

At the commencement of paid or unpaid Parental leave, a workplace participant who has a Tool of Trade Vehicle must return the motor vehicle to Wolters Kluwer prior to the first day of the parental leave period.

#### 3.8.2. Car Allowances

Car allowances will not be payable during a period of unpaid or paid parental leave.

#### 3.8.3. Novated Lease Vehicle

It is the responsibility of a workplace participant, who has entered into a novated lease arrangement, for any lease payments or arrangements to suspend or vary the lease during the period.

### 3.9. Request for Part-Time Work

If your role allows you, a workplace participant may request part time work for a period of up to 3 months - 6 months upon a return to work after a period of maternity or adoption leave. The request must be made in writing at least 8 weeks before the workplace participant is due to return to work. Please note that the right to make such a request does not infer that the request will be granted. Any decision to grant a request for part time work is at the sole discretion of Wolters Kluwer. Wolters Kluwer will only refuse a request for part time work on reasonable business grounds.

There are some roles which are not suitable to be covered by job sharing or extended part time arrangements.

If part time work is granted, the workplace participant's part time hours of work will be reviewed prior to the end of the part time work period. Any changes to part time hours during this period must be requested by the workplace participant and agreed by management. At the end of the period, the workplace participant will either revert to full time hours or may remain in a part time position if requested by the workplace participant and agreed by management. Please note that the part-time arrangements will be regularly reviewed to ensure it meets both business and individual requirements.

### 3.10. Keep in Touch and Back to Work Programme

While a workplace participant is on parental leave, their manager shall be responsible for keeping the workplace participant abreast of significant developments. This may involve the manager sending e-mails, company journals, invitations to relevant events and other documents and events of interest to the workplace participant on leave.

The manager will also be responsible for implementing a "Back To Work" program for the workplace participant prior to them returning to work. This will enable the workplace participant and company to feel comfortable as to what tasks and responsibilities the workplace participant will be performing on their return to work.

Please note on ending parental leave workplace participant is entitled to:

- Workplace participant pre-parental leave position or
- If position does not exist, an available position for which the workplace participant is qualified and suited nearest in status and pay to the pre-parental leave position.

### 3.11. Traumatic Event

Wolters Kluwer will respect the workplace participant's circumstances should a traumatic event occur in relation to a pregnancy. The workplace participant should contact their HR Manager as soon as practicable.

### 3.12. Other work whilst on Parental Leave

Permission must be sought in writing from your line manager to perform other work (for either Wolters Kluwer or another organisation) once the workplace participant is accessing the unpaid parental leave benefit.

### 3.13. Terminations

Workplace participants must return to work for a minimum of 12 months of continuous service. If you terminate before this time period, you will have to repay the amount of parental leave paid by Wolters Kluwer.

### 3.14. Further Information

Flexible work options exist for the workplace participant who is primary carer for the child and is returning from parental leave. Please refer to the [Balancing Work & Life Policy](#) for more details.

For more information about Parental Leave consult your HR Manager.

## 4. References

- Fair Work Act 2009 (*Cth*)
- Family Assistance Office
  - National Minimum Wage
- Balancing Work & Life Policy
- Parental Leave Application Form

## 5. Revisions

Date of Last Review:	Revision Description
8 February 2012	<ul style="list-style-type: none"><li>• Formatting</li><li>• Inclusion of Application, Policy &amp; Procedure content - definitions and References</li></ul>
12 July 2012	<ul style="list-style-type: none"><li>• Updated minimum wage details</li></ul>