

Employee checklist for parental leave

This checklist is for employees to use to ensure they have completed all required steps in requesting and commencing parental leave. It is recommended that employers make this checklist available to employees to use when the situation arises.

For more information about [parental leave](http://www.fairwork.gov.au/parentalleave), visit www.fairwork.gov.au/parentalleave

Before taking a period of parental leave

At least 10 weeks before starting leave (or as soon as possible):

- Provide your employer with written notice of taking unpaid parental leave, including the start date and the date you will return to work.

You can do this by completing the [‘Parental leave - notification form’](#), available at www.fairwork.gov.au/templates

- Provide evidence, such as a medical certificate or statutory declaration, if requested by your employer.

From 3 months before the expected date of birth or adoption of your child:

- Have a discussion with your employer about arrangements for payment of any monetary entitlements which you may be entitled to. Such payments could include annual leave, long service leave, employer-funded paid parental leave or Parental Leave Pay under the Australian Government Parental Leave Pay scheme.

You can [find out about Parental Leave Pay](http://servicesaustralia.gov.au/parentalleavepay) at servicesaustralia.gov.au/parentalleavepay

Your employer can [find out about the Parental Leave Pay scheme](http://servicesaustralia.gov.au/pplemployers) at servicesaustralia.gov.au/pplemployers

- If you decide to apply for Parental Leave Pay under the Australian Government Parental Leave Pay scheme, ask your employer for their Australian Business Number (ABN) and the name and contact details of a relevant person the Australian Government can contact. You will need these details for your claim. You can lodge your claim with the Australian Government online from three months before your child’s birth or adoption. The Australian Government will contact your employer if they are required to provide your Parental Leave Pay.

At least 4 weeks before the intended start date specified in your written notice of taking parental leave (unless it is not possible to do so):

- Confirm your intended start and end dates for the leave or advise of any changes. This includes letting your employer know if you intend to take flexible Parental Leave Pay.

You can do this by confirming or changing the information on the [‘Parental leave - notification form’](#), available at www.fairwork.gov.au/templates

Information about [flexible Paid Parental leave](#) can be found on the Services Australia website at servicesaustralia.gov.au/parentalleavepay

If working within 6 weeks of the expected date of birth of the child:

- You may be asked by your employer to provide a medical certificate containing information about your fitness for work, or if you are fit for work, whether you should continue in your present position. If you are certified as fit for work, ensure that the medical certificate establishes

whether it is inadvisable for you to continue in your current position because of illness or risks related to your pregnancy or hazards connected with your usual job.

If your employer requests a medical certificate and you do not provide one within 7 days after the employer's request, your employer has a right to direct you to take unpaid parental leave as soon as possible.

Accessing parental leave flexibly

If you would like to access your unpaid parental leave flexibly:

- Provide written notice to your employer to access up to 30 days of unpaid parental leave flexibly. This notice must include the total number of days that you wish to take flexibly (up to a maximum of 30 days).
- If you are also taking continuous parental leave, you must provide notice that you want to take flexible parental leave at the same time as you give notice of your continuous parental leave.

If you are only taking flexible parental leave, you must give written notice at least 10 weeks before the start of the flexible parental leave.

You can provide notice at a later time if your employer agrees.

Varying a period of parental leave (within the first 12 months)

Understand your obligations and entitlements about parental leave. [Find out more at www.fairwork.gov.au/leave](#) or call the Fair Work Infoline on 13 13 94.

- Provide a written request to your employer to vary the period of unpaid parental leave at least 4 weeks before the end date of the original leave period. The notice must specify the new end date for the leave.

You can do this by completing the '[Parental leave – application to vary leave within 12 months](#)' form available at [www.fairwork.gov.au/templates](#)

Pausing a period of parental leave (due to premature birth or birth-related complications)

If you would like to pause your unpaid parental leave due to the newborn being in hospital:

- Agree with your employer to put your unpaid parental leave on hold.

If your employer agrees, you can return to work and the period when you are back at work will not be deducted from your unpaid parental leave. You can then resume your unpaid parental leave at the earliest of:

- a time agreed with your employer
- the end of the day when the newborn is discharged from the hospital, or
- if the newborn dies, the end of the day when the newborn dies.

- Provide evidence, such as a medical certificate or statutory declaration, if requested by your employer.

Extension of parental leave entitlement beyond 12 month entitlement

An employee is able to request an **additional** period of unpaid parental leave (up to 12 months), after the employee has taken their full entitlement to an initial period of 12 months unpaid parental leave.

- Provide a written request to your employer of your intention to extend unpaid parental leave, including the specific leave dates, at least 4 weeks before the end of the original leave period.

You can do this by completing the '[Parental leave – request to extend leave beyond initial 12 months](http://www.fairwork.gov.au/templates)' form available at www.fairwork.gov.au/templates. Your employer must respond to your request in writing, as soon as practicable and not later than 21 days after your request is made, by either granting or refusing your request.

They may only refuse if they have given you a reasonable opportunity to discuss your request, and there are reasonable business grounds to do so. The employer must include details of the reasons for a refusal.

Additional requirements for 'employee couples' where both intend to take unpaid parental leave:

- Your request must specify any amount of unpaid parental leave that has been or will have been taken by the other member of the employee couple before the extension starts.

You can do this by completing the '[Parental leave – request to extend leave beyond initial 12 months](http://www.fairwork.gov.au/templates)' form, available at www.fairwork.gov.au/templates

The Fair Work Ombudsman is committed to providing you with advice that you can rely on.

The information contained in this template is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or a workplace relations professional.