

An Employee's *Guide*

To applying for Parental Leave,
including a Parental Leave
Application Form



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Introduction



Having the ability to take parental leave is such a precious and momentous occasion. However, navigating the application process can sometimes be confusing, particularly if your employer is less than forthcoming in helping you figure it out.

Whether you're considering continuous parental leave or flexible parental leave, understanding the notice periods and evidence requirements will help alleviate your stress and minimise the risk of potential disputes with your employer.

In this guide, we've provided you with a Parental Leave Form to give to your employer. And, explanatory notes to assist with completing the form.

This Parental Leave Download contains five sections:

1. **Section 1** – these introductory cover pages.
2. **Section 2** - the Parental Leave Form for you to complete and provide to your employer.
3. **Section 3** - the Continuous and/ or Flexible Parental Leave Form for you to complete and provide to your employer.
4. **Section 4** – notes on how to complete the Parental Leave and Continuous and/ or Flexible Parental Leave Forms and useful information.
5. **Section 5** - Check List.



Parental Leave Notification Form

EMPLOYEE DETAILS

First Name	
Surname	
Position Title	
Phone Number	
Email	

LEAVE REQUESTED

This notice relates to my intention to take:

- Maternity Leave
- Paternity Leave and Partner Leave
- Adoption Leave
- Special Maternity Leave

NOTICE OF INTENTION TO TAKE CONTINUOUS PARENTAL LEAVE

Start date of Leave		End date of Leave	
Total number of weeks and/ or days of Continuous Leave		Weeks	Days

NOTICE OF INTENTION TO TAKE FLEXIBLE PARENTAL LEAVE

Start date of Leave		End date of Leave	
Total number of weeks and/ or days of Flexible Leave		Weeks	Days

NOTICE OF INTENTION TO APPLY FOR PAID PARENTAL LEAVE

I intend to apply for Parental Leave Pay under the Australian Government Paid Parental Leave scheme:

- Yes**
- No**
- Unsure**

Parental Leave Notification Form

Signature

Signature of Employee:		Date:	
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Acknowledgement of Parental Leave

Signature of Manager/ Supervisor:		Date:	
Name of Manager/ Supervisor:			

Confirmation Or Change Of Continuous Parental Leave

Start date of Leave		End date of Leave	
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Period of Leave		Weeks		Days
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Signature of Employee:		Date:	
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Confirmation of Flexible Parental Leave

Start date of Leave		End date of Leave	
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Period of Leave		Weeks		Days
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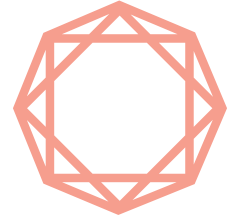
Signature of Employee:		Date:	
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Acknowledgement of Confirmation or Change of Parental Leave

Signature of Manager/ Supervisor:		Date:	
Name of Manager/ Supervisor:			

Section 4 Guidance Notes

and further information



1. Employee Details

Provide your current contact details and substantive employment position details.

2. Leave Requested

It is important to specify the type of parental leave that you are applying for. Select the option that applies to you.

- **Maternity leave** - when you are a female pregnant employee and take leave in anticipation of the pending birth of your child.
- **Paternity leave and partner leave** - parental leave for fathers and partners of new mothers.
- **Special maternity leave** - if you experience an unexpected complication with your pregnancy or get a pregnancy-related illness.
- **Adoption leave** - leave taken in association with the placement of a child for adoption.

You will need to also specify whether your intentions are to take continuous parental leave or flexible parental leave or a combination of the two. Please complete the option that applies to you in the next two sections.

3. Notice of intention to take Continuous Parental Leave

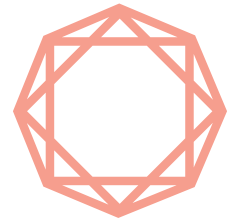
If you're planning to take a period of continuous parental leave, which involves a single continuous period of leave, you must inform your employer in writing at least 10 weeks before the intended start date of your leave.

The notice should include the duration of leave and the start and finish dates. It doesn't matter if those dates are hypothetical or approximations.

You should specify an anticipated start date and finish date. In case you're unable to provide the required 10 weeks' notice, it's essential to give notice as soon as possible.

Section 4 Guidance Notes

and further information



Also be aware that your employer is entitled to request evidence that you are pregnant and/or your partner is pregnant and/or you are adopting or otherwise needing to take special maternity leave. Such evidence can include a medical certificate, statutory declaration or other medical documentation confirming your circumstances. Not all employers will require this evidence but it is best practice to be prepared and have the evidence available to produce if needed.

3. Notice of intention to take Continuous Parental Leave (con't)

A couple of other important points to note:

- **Fit for Duty** - If you are a pregnant employee and you are intending on continuing to work during the 6 week period before the expected date of birth of your child, please also be aware that an employer can ask you for evidence that you are fit for work and can continue regular duties.
- **Confirming Leave Dates** – It's important to confirm your parental leave dates with your employer at least 4 weeks before the anticipated start date. If there are any changes to the dates previously communicated, notify your employer promptly (and at least 4 weeks' prior to commencing the leave). Sometimes it may not be possible to confirm your parental leave dates within this timeframe (for example, due to complications). In those circumstances, it is expected that you will provide as much notice as possible. You can use this same form to confirm your leave dates at the relevant time (see section 'Confirmation or Change of Leave details of page 2 of the leave form).

4. Notice of intention to take Flexible Parental Leave

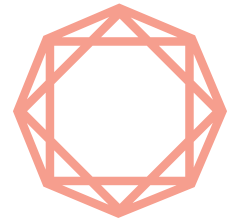
Flexible Parental Leave allows for 30 days (6 weeks) of unpaid leave that can be used flexibly within 24 months of a child's birth or adoption.

When applying for Flexible Parental Leave, inform your employer either at the same time as you giving notice of your intention to take Continuous Parental Leave notice or otherwise at least 10 weeks before the Flexible Parental Leave start date. Clearly communicate the total number of days Flexible Parental Leave you intend to take.

Note: flexible days can be taken consecutively or separately as agreed between you and your employer.

Section 4 Guidance Notes

and further information



To ensure that you meet the notice requirements, you should where possible complete both the 'Notice of intention to take Continuous Parental Leave' and 'Notice of intention to take Flexible Parental Leave' sections of the form at the same time.

- **Confirming Leave Dates** - Like continuous parental leave, you must confirm your flexible parental leave dates with your employer at least 4 weeks before the intended start date. If providing 4 weeks' notice becomes challenging, you are required to inform your employer as soon as possible. With your employer's agreement, you can modify the flexible parental leave dates after giving notice. You can use this same form to confirm your leave dates at the relevant time (see section 'Confirmation or Change of Leave Details').

5. Notice of intention to apply for Paid Parental Leave

Under the paid parental leave scheme, eligible employees can obtain paid parental leave from the Australian Federal Government for a newborn or recently adopted child.

There are two types of payments that are available under the scheme. These include:

- Parental Leave Pay; and
- Dad and Partner Pay.

If you wish to apply for paid parental leave you must meet the eligibility criteria as detailed on the Services Australia website. However, it is important to notify your employer whether you intend to apply.

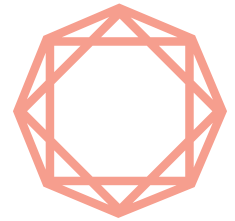
6. Employee Signature

To prevent any confusion as to who is applying for parental leave and on what date you gave notice to your employer, be sure to sign the form and include the date of signing.

Take a photocopy of your signed form before handing to your Manager/ Supervisor and note the name of the person you have handed or emailed the form to.

Section 4 Guidance Notes

and further information



7. Acknowledgement of Parental Leave (completed by Manager/ Supervisor)

Just like it is important to ensure that you provide notice of your intentions to take parental leave in writing, it is also recommended that you obtain written acknowledgement from your employer or relevant Manager that they have received your notice. While there is no legal obligation for them to sign the form of notice you provide, it is recommended that you ask them to provide a signed acknowledgment so that there is no confusion about your notice having been provided.

8. Confirmation or change of Continuous Parental Leave

Complete this section on the copy of the form when you are either confirming or changing the details of your intentions to take Continuous Parental Leave. If you have a copy of the form you previously completed and submitted, you can complete this section on the copied form.

This must be provided to your employer at least 4 weeks before starting your parental leave (whether continuous, flexible or both) unless it is not practicable to do so.

9. Confirmation of Change of Flexible Parental Leave Dates

Complete this section when you are either confirming or changing the details of your intentions to take Flexible Parental Leave. If you have a copy of the form you previously completed and submitted, you can complete this section on the copied form.

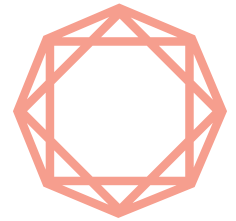
Complete this section and provide the form to your employer at least 4 weeks before starting your Parental Leave (whether continuous, flexible or both) unless it is not practicable to do so.

10. Acknowledgement of Parental Leave (completed by Manager/ Supervisor)

Just like it is important to ensure that you provide notice of your intentions to take parental leave in writing, it is also recommended that you obtain written acknowledgement from your employer or relevant Manager that they have received your notice. While there is no legal obligation for them to sign the form of notice you provide, it is recommended that you ask them to provide a signed acknowledgment so that there is no confusion about your notice having been provided.

Section 5

Checklist



- Complete all details in the Employee Details section of Parental Leave Form.
- Insert Start Date of Leave, End Date of Leave and Total Period of Leave (in weeks and/ or days) section of Parental Leave Form.
- Tick the type of Leave Requested (refer to Guidance Notes above, item 2).
- Tick if you intend to apply for Continuous Parental Leave (refer to Guidance Notes above, item 3).
- Tick if you intend to apply for Flexible Parental Leave (refer to Guidance Notes above, item 4).
- Tick if you intend to apply for Paid Parental Leave (refer to Guidance Notes above, item 5).
- Sign and Date the Parental Leave Notification Form.
- Take a copy of your signed Parental Leave Notification Form.
- Note the name of the person you have provided your Parental Leave Notification Form to and/ or print a copy of your email submitting the Form.
- Make a diary note or a reminder to confirm your Parental Leave at least 4 weeks before commencement of leave.
- Confirm your Parental Leave with your Employer by completing the Confirmation of Continuous Parental Leave and/ or Confirmation of Flexible Parental Leave section.
- Take a copy of your signed Parental Leave Notification Form.
- Note the name of the person you have provided your Parental Leave Notification Form to and/ or print a copy of your email submitting the Form.

How can *Rubix Legal help?*



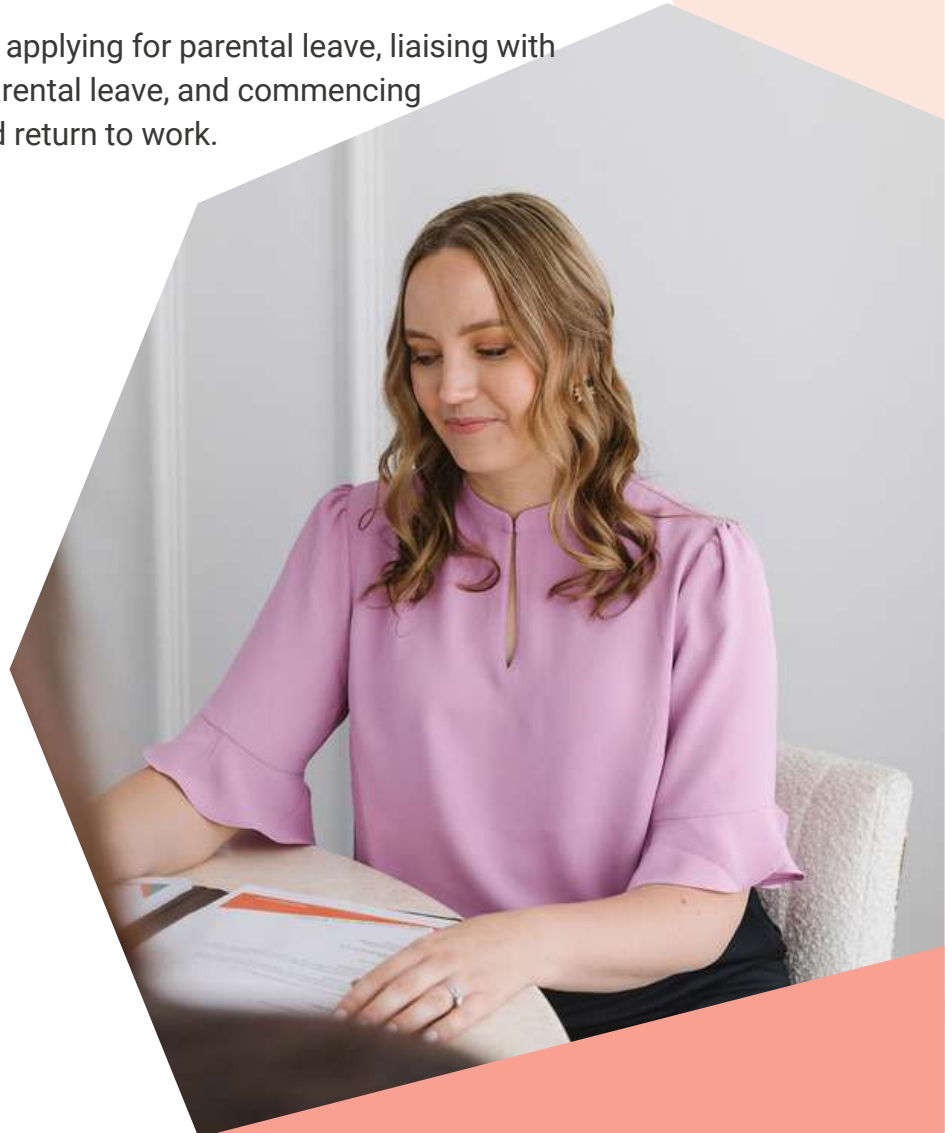
Rubix Legal has a variety of solutions for employees who are looking to understand their eligibility, who need assistance with applying for Parental Leave, and those needing direct support in employer discussions.

Parental Leave Support

If you believe you are being discriminated against in the workplace because of your pregnancy, and/ or intentions to take parental leave, make sure you seek proactive advice from our team.

We can also assist you with applying for parental leave, liaising with your employer about your parental leave, and commencing discussions for your planned return to work.

[Contact us today to find out more](#)



About *Rubix Legal*



Rubix Legal was established by Nikolina Palasrinne, who was tired of the old ways of doing law and determined to find a better way of delivering value to her clients. Offering a fresh approach, Rubix Legal assists professional employees who are serious about their careers to find their voice and get what they deserve out of work and life.

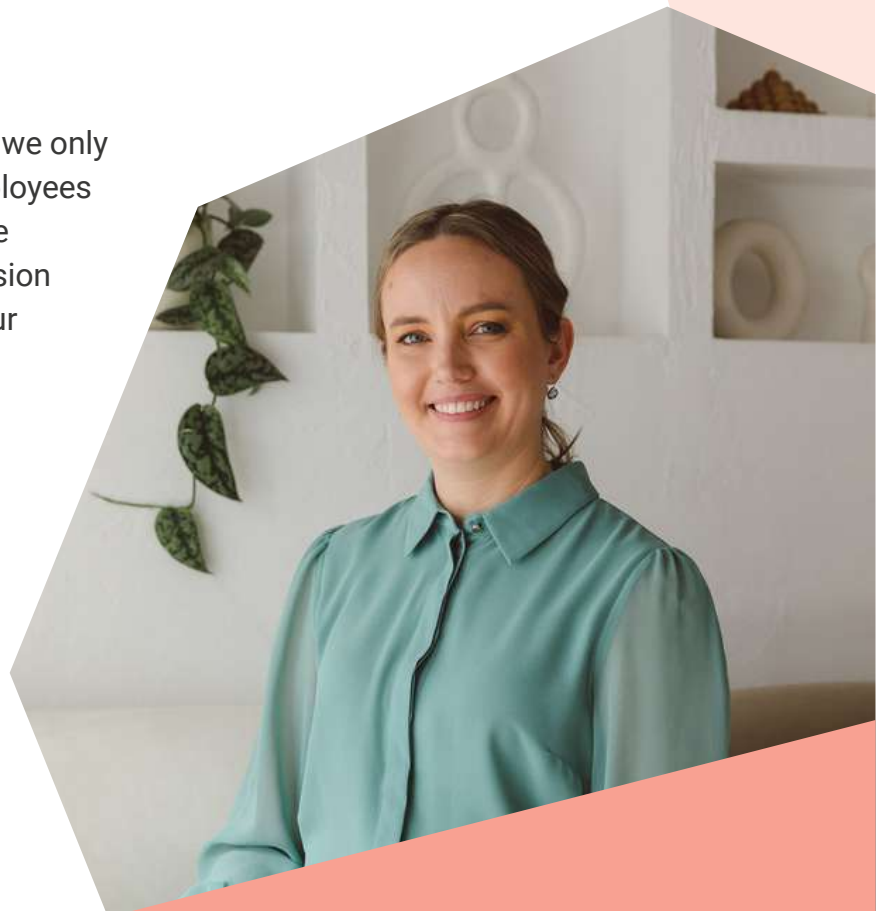
Why we are different?

At Rubix Legal we are focused on delivering long lasting value for our clients. The last thing we want you to do is walk away from your legal experience disillusioned, confused or with a bad taste in your mouth. We want you to be equipped and empowered to thrive so you can move on to do the best work of your life.

How do we do this?

We are exclusive to employees – we only advise, act for and represent employees meaning you can trust that we are completely on your side. Our mission is to inspire you to succeed in your chosen profession.

*Helping employees
find their voice
in the workplace.*





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