



24 November 2023



Ref: OIA-2023/24-0282

Dear

Official Information Act request relating for policies and procedures relating to parental leave

Thank you for your Official Information Act 1982 (the Act) request received on 8 November 2023. You requested:

- “ - A summary of support, information and entitlements you provide to your employees who take parental leave and return to work at your agency; and*
- Copies of policies and procedures at your agency that relate to information and support provided to employees who take parental leave and return to work.”*

This response provides information related to parental leave for staff within both the Department of the Prime Minister and Cabinet (DPMC) and the National Emergency Management Agency (NEMA). NEMA is a departmental agency hosted by DPMC, and as part of this arrangement, its staff are offered the same entitlements and benefits afforded to DPMC staff. When reviewing the following information, please consider the information as applicable to all NEMA and DPMC staff.

Parental leave entitlements

Parental leave is available to all staff employed by DPMC and NEMA in accordance with New Zealand legislation. Details of legislated entitlements can be found on the Ministry of Business, Innovation and Employment’s website at www.employment.govt.nz/leave-and-holidays/parental-leave/eligibility/.

In addition to legislated entitlements, DPMC and NEMA provide the following benefits to staff who are eligible for Parental Leave:

- A one-off ex gratia payment upon returning from parental leave; and
- Enhanced annual leave.

Information regarding these benefits is readily available to all DPMC and NEMA staff within the ‘*Parental Leave Guide*’ which is accessible through the DPMC intranet.

Further support and information are available to staff via their people leader and/or DPMC’s Human Resources team. Staff are encouraged to remain in regular contact with their team leader prior to and during Parental Leave so that they may provide them with support during this time, whether they choose to return to work or not.

Information being released

Please find attached a copy of the following documents in scope of your request:

- Parental Leave Guide
- Parental Leave Application Form

An internal email address has been withheld from these documents under section 9(2)(g)(ii) of the Act to maintain the effective conduct of public affairs through the protection of organisations and employees from improper pressure or harassment. It is further noted that any internal links within the attached information have been deactivated for the same reasons, all external links to publicly available information remain activated.

In making my decision, I have considered the public interest considerations in section 9(1) of the Act. No public interest has been identified that would be sufficient to override the reasons for withholding that information.

We have further identified some information within DPMC's *Leave Policy* as being in scope of your request. I have decided to release an excerpt of the relevant information for ease of review as the remainder of the document is out of scope of your request.

Parental and Partner leave	We offer Parental and Partner Leave to support you going on, during and returning from parental leave. These and the other supports including ex gratia payment and enhanced annual leave are set out in the Guide to how Parental Leave works around here . DPMC and NEMA recognise and support the different experiences and processes that create whānau/family, for example whangai and adoption.
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If you wish to see the full version of this policy, it is publicly available on the DPMC website at: www.dPMC.govt.nz/sites/default/files/2023-09/dPMC-roia-oia-2022-23-0861.pdf.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.


This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely



Clare Ward
Executive Director
Strategy, Governance and Engagement

Guide to how Parental Leave works around here

i-Manage reference	4447067	i-Manage version	Version Number
Contact	Margaret Cassie, HR Manager, DPMC		
Approved by	Executive Director, Strategy, Governance and Engagement Group (SGE)	Name	Clare Ward
		Signature	
Date approved	8/10/2021	Date for review	29/09/2023

Introduction

1. This document sets out how parental leave works at the Department of the Prime Minister and Cabinet (DPMC) and National Emergency Management Agency (NEMA).
2. This document should be read in conjunction with the [DPMC and NEMA Leave Policy](#).
3. This guide provides information and guidance on the lead up to, during and returning from parental leave including supporting breastfeeding.
4. This guide provides the basis for “a how to” conversation between an employee and their people leader during all stages of parental leave – acknowledging that becoming a parent happens in various ways and families are diverse with different experiences.
5. This guide also sets out how we meet our obligations under [section 69Y of the Employment Relations Act 2000](#) (the Act). This section of the Act relates to the provision of breaks and facilities for employees who wish to breastfeed during a work period. Employment New Zealand have published a [guide for employers](#) with FAQs and where to go for more information or advice.
6. For purposes of clarity all references to breastfeeding also include the expressing of milk as well. Any specific references to expressing milk are noted.
7. Roles and responsibilities are set out below.

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Role	Responsibilities
People leaders	<ul style="list-style-type: none"> • must have a good understanding of <ul style="list-style-type: none"> – the parental leave entitlements and benefits available to employees – the return to work requirements – how to apply a flexible and discrete approach to each employee’s circumstances – available facilities – are expected to work with an employee to plan parental leave, their return and to ensure that employee’s wellbeing is considered including developing creative solutions to meet the Agencies’ obligations and responsibilities • approve leave • document any understanding • maintain regular contact with employees on parental leave and keep them informed of any significant updates or changes • manage any keeping in touch (KIT) arrangements
Employees	<ul style="list-style-type: none"> • be aware of their entitlements and rights • must follow the correct process and procedure when applying for and taking leave • engage in constructive problem solving to meet their, and the Agencies’ needs • keeping their people leader informed of their situation and any changes
Human Resources	<ul style="list-style-type: none"> • assist people leaders and employees in implementing this guide • regularly review to ensure guide continues to meet employee’s needs • provide support/advice to employees and people leaders for smooth transition to parental leave and then back to work

8. All leave is applied for and approved by people leaders in [Āwhina](#). Please ensure the details of your requests are accurate. See [Leave and Payroll guidance](#) on Kāinga.

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Entitlement to Parental leave

9. Parental Leave enables employees to take a period off to provide primary care for a new child, while maintaining employment with their current employer. We provide Parental Leave in accordance with NZ legislation. Details of Legislative entitlements may be found on [the Ministry of Business, Innovation and Employment's \(MBIE\) website](#). If you have any questions about your legislative entitlements please contact [the Human Resources Team](#).
10. Entitlement for fixed-term employees:
- If you are on a fixed term agreement you may still be entitled to parental leave, if you meet the [6 month/12 month eligibility test](#), and the birth/adoptive/other date is before the end of your fixed term agreement.
 - Your Parental Leave either will finish on:
 - the date your fixed term agreement ends; or
 - when your extended leave finishes, on the provision that the end date is within the term of your Fixed Term agreement. For example, your agreement is for 18 months, the baby is due in month seven, and you meet the eligibility test having completed six months work (more than 10 hours a week) with the same employer. You would be eligible to take six months Parental Leave and return in month 13 of the agreement.
11. If you are **not eligible** for Parental Leave you can apply for a period of [negotiated carer leave](#) (a form of special leave without pay) which will provide you with an opportunity to take some time out, potentially qualify for the government funded Parental Leave Payments and then potentially return to work. Please talk to your HR Business Partner about what this type of arrangement could mean.

Parental Leave Payments

12. Parental Leave Payments are government funded and paid via Inland Revenue. The eligibility criteria for Parental Leave Payments differs to Parental Leave and we encourage you to visit the [Inland Revenue](#) and [MBIE](#) websites to find out what you are entitled to.
13. When you ready to apply, go to www.ird.govt.nz/paid-parental-leave/apply

Applying for Parental Leave

14. To apply for Parental Leave from DPMC and NEMA you will need to:
- complete the [Parental Leave Application Form](#)
 - get it approved by your people leader; and
 - send it through to the [Human Resources Team](#).
15. It is recommended that you complete your application at least three months before the arrival of the child. We understand that this timeframe is not always possible, however in all cases of Parental Leave, we encourage you to communicate with your people leader about expected timing as soon as possible.

Additional Benefits

16. Employees of DPMC and NEMA who are eligible for Parental Leave under the Act are also entitled to:

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- a) a one-off ex gratia payment upon return from Parental Leave; and,
- b) enhanced annual leave.

Ex Gratia payment

Eligibility

- 17. Employees are eligible to receive an ex gratia payment if:
 - a. You are eligible for Parental Leave, for example have over 6 months service and work for an average of 10 hours per week; and,
 - b. You take a period of Parental Leave (rather than any other form of leave for example Special Leave Without Pay called negotiated carers leave in this situation); and,
 - c. You return to work and complete a further six months' continuous service.
- 18. Eligible employees who have a partner working in the [Public Sector](#) are entitled to only one ex gratia payment between them. Employees who have a partner receiving a Parental Leave ex gratia payment from a private sector employer can still receive an ex gratia payment, if eligible.

Payment

- 19. An ex gratia payment is equal to 6 weeks of an employee's salary (at the time of Parental Leave) and paid in full on the completion of 6 months' continuous service after returning from Parental Leave.
- 20. An ex gratia payment is taxed as a lump sum (i.e. income tax rate plus ACC levy). Superannuation will also be deducted from the ex gratia payment.
 - a. The value of an ex gratia payment will be pro-rated to reflect part-time working hours at the time of Parental Leave.
 - b. If you take less than 6 weeks (30 working days) Parental Leave, your pro-rata payment will be based on the amount of time taken off.
- 21. Anyone taking at least two weeks Parental Leave may request a portion of their ex gratia payment in advance, at the start of their Parental Leave. The advance payment can be the equivalent of no more than two weeks salary, with the balance of the ex gratia payment received after 6 months continuous service.
- 22. To request an advance portion of the ex gratia payment you must complete the 'advance ex gratia payment' section in the [Parental Leave Application Form](#).

Enhanced Annual Leave

- 23. With enhanced leave DPMC and NEMA provide a significant benefit to employees. We will pay more than the Holidays Act 2003 conditions for annual leave taken within the first 12 months of returning to work from Parental Leave. We will pay at your ordinary/normal hourly rate of pay. This includes annual leave that accrued before taking Parental Leave, leave accrued while on Parental Leave and leave that accrues during the first 12 months after your return from Parental Leave. Without this enhancement, the standard averaging formula for calculating leave (see [Employment NZ guidance on calculating leave pay](#)), would lower your pay when you took annual leave due to the fact you are not earning while on parental leave and so your average pay is zero.
- 24. Employees are encouraged to use their existing annual leave entitlements before taking Parental Leave. If you are interested in cashing up any annual leave please see the [Guide to how Leave works around here](#) or talk to the [Human Resources Team](#).

Additional things to consider before you leave

Superannuation

25. While you are on Parental Leave employer or employee superannuation contributions will not be made - unless you plan with your scheme provider to keep them going. The government paid Parental Leave payments do not attract KiwiSaver contributions. Check [KiwiSaver](#) for more information.

Keeping in touch (KIT)

26. While on parental leave you can choose, with our agreement, to perform paid work from time to time, as long as you only do a total of 64 hours or less of paid work for your employer during your parental leave payment period and this work is not within the first 28 days after your child arrives.
27. Check with [the Human Resources Team](#) about how this works depending on your situation.
28. You and your people leader can use KIT in several ways to support your connection to your workplace, team and coming back to work. For example:
- attending team away days or strategy days
 - attending relevant training and development
 - attending a change announcement
 - a phased return to work - you could do just a couple of hours a week for the last couple of months of parental leave, to give you time to attend team meetings, keep up to date with current work programmes, and overall make the adjustment back to work much smoother
29. You and your people leader discuss and agree any KIT. The people leader will document, make any arrangements needed and notify Payroll of KIT time worked. These arrangements may change depending on your needs and situation.

Your people leader as contact point

30. Your current people leader will be your contact people leader while you are on Parental Leave. They are responsible for keeping you informed on significant updates. A thorough handover prior to departure is recommended and both parties go through this guide as a checklist. If your contact people leader moves teams or leaves it is expected that they will update you and 'hand over' the contact responsibilities to the new people leader.

Southern Cross

31. While on Parental Leave you still qualify for DPMC and NEMA's group rates. How you pay does alter the payment amount slightly. You need to contact Southern Cross directly to arrange an alternative payment method (for example direct credit, on invoice etc) to ensure that you are still covered while on Parental Leave. Their contact details are [Southern Cross Health Insurance](#) - 0800 800 181

Annual leave

32. See [enhanced annual leave](#) section.

Parental Leave and tax implications

33. Depending on how long you are on Parental Leave, you may be entitled to [a tax refund](#). We recommend that you get in touch with IRD to see if you qualify.

Things to consider before you return

Returning to work – flexible working link to policy and procedure

34. DPMC and NEMA’s approach is that all roles can have some form of flexible working and we are committed to flexible working being available to everyone. Information on flexible working can be found on our [Flexible Working Guide](#). You will need to advise your people leader in advance of returning if you would like this considered.
35. If you return to work on different hours from those when you started Parental Leave your salary and annual leave balance will be adjusted with effect from the commencement of your Parental Leave.

Taking leave in addition to Parental Leave

36. If you want to take more leave beyond the 52 weeks of Parental Leave, you may be able to take annual leave or special leave without pay (SLWOP) with agreement from your people leader. SLWOP would be for a limited period and would be subject to the conditions set in the [Guide to how Leave works around here](#).
37. If approval for SLWOP is granted your eligibility for the additional benefits, for example an ex gratia payment will be held until your return to work and the required terms met.

Support for breastfeeding

38. DPMC and NEMA provide appropriate breastfeeding facilities and breaks depending on what is [reasonable and practicable](#) in the circumstances.
39. There are four factors in providing support:

Factor	Considerations
Talking	<ul style="list-style-type: none"> • Start early – make sure employees know what the options are and how DPMC and NEMA can help • Be flexible and open – some problem solving may be required to provide the right kind of support for each employee • Be supportive of the employee’s decision – both to the employee and the team • Be clear – document the understanding to avoid any confusion and capture any updates if circumstances change
Time	<ul style="list-style-type: none"> • This means the time needed to breastfeed, either at the workplace or off-site, or to express breast milk. • Some things to discuss include: <ul style="list-style-type: none"> – what hours the employee will work on their return to work (normal practice) – timing and frequency of breaks, to provide an initial structure for the day and noting the need for flexibility as this may need to change – how to make these work using flexible working (link TBD) – whether the employee wants to feed or express at home, so a later start, early finish or longer break during the day may be appropriate

Factor	Considerations
Space (facilities)	<ul style="list-style-type: none"> • To set up an appropriate place for employees who are breastfeeding, the following are considerations: <ul style="list-style-type: none"> – a private, clean, quiet, warm room or space – such as a screened off area (spaces don't need to be sterile, just clean), which needs to be big enough to manoeuvre a pram – a low comfortable chair. – to ensure privacy, windows or glass walls may need to be screened. • Wellness rooms are the most likely places given the different sites DPMC and NEMA operates from. • Spaces don't always need to be permanent <hr/> <ul style="list-style-type: none"> • The rooms and facilities available for breastfeeding across our sites vary. The following are additional considerations that would support employees. However, they may be challenging to put into immediate effect and require longer term planning and implementation. • If an employee is expressing breast milk, additional desirable facilities are: <ul style="list-style-type: none"> – a lockable door – a washbasin – a fridge (or chilly bin with ice packs) for storing expressed breast milk¹ – a table – a clean space to store equipment (e.g. small locker or cupboard) – a microwave for sterilisation is also handy – expressing equipment often needs to be sterilised before use] – power point (if using electric pump).
Support	<p>Support could include:</p> <ul style="list-style-type: none"> • making sure other staff know the workplace is breastfeeding-friendly and, if necessary, encouraging tolerance around any additional noise or disruption associated with having a baby at work • making sure the employee is comfortable with the arrangements and can raise any issues • checking with the employee every so often to make sure arrangements are working effectively • making sure any caregiver, partner and baby is welcome in the workplace

Other considerations for breastfeeding

40. People leaders need to consider the wellbeing of the employee - noting combining breastfeeding and work isn't always easy for them, and that breastfeeding needs often

¹ A communal fridge is acceptable, because breast milk is considered food, not a body fluid, so can be readily stored in a labelled container in the fridge. If a fridge or chilly bin is not available, breast milk can safely be stored at room temperature (19-22°C) for up to two hours.

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change as a baby grows and develops, and/or as the circumstances of the breastfeeding parent changes.

41. While babies are onsite, their health and safety requirements need to be considered, particularly in the use of available spaces. This is consistent with DPMC and NEMA's obligations to consider the health and safety of all people onsite.
42. What is reasonable and practicable might change as circumstances change. It is important that employers and employees communicate regularly, re-evaluate their arrangement when either party's needs change, and monitor the impact of the arrangement on the workplace, the employee and other staff. Any changes to the arrangement should be agreed between both parties.
43. Some things which the people leader and employee might need to agree to, and renegotiate, from time to time are:
 - the length, timing and frequency of breastfeeding breaks
 - the location in which these breaks will be taken
 - whether another staff member will need to cover the employee's work duties during breastfeeding break
 - whether start and finish times can be shifted to accommodate breastfeeding requirements
 - the process to change the arrangement
44. Breastfeeding breaks do not have to be formalised by a variation to an employment agreement, but a written agreement, for example an email, will help to set out a mutual understanding of the arrangement and the obligations and expectations of both parties. An agreement also provides a clear basis to negotiate change.

Early ending and extension of Parental Leave

45. In the event of miscarriage, stillbirth or infant death; an adoption or fostering process fails or some similar circumstance, please contact either your people leader [or the Human Resources Team](#) as soon as you can. We will endeavour to support you through a variety of measures. Our EAP provider [Vitae](#) is also available for you and your whanau/ family to access help through this difficult time.
46. Support is also available through your DHB's Maternal Mental Health Service.
47. You may still be entitled to parental payments from IRD, and we can help you to navigate this with them. Additionally, you may be able to continue your Parental Leave or choose to return early from Parental Leave to your position.

Support during and after parental leave

48. Anxiety and depression are risks for new parents during and post parental leave, we will endeavour to support you through a variety of measures. Our EAP provider [Vitae](#) is available for you and your whanau/ family to access help through this difficult time.
49. Support is also available through your DHB's Maternal Mental Health Service.
50. You may want to change your working arrangements - please talk to your people leader. Talk to your HR Business Partner if you need help making changes or need advice.

Not returning to DPMC or NEMA at the end of my Parental Leave

51. If you decide not to come back when your Parental Leave ends, you must tell us in writing at least 21 days before the end of your Parental Leave. If your employment agreement says you must give more than 21 days' notice of resignation (for example your notice period is one month), then that resignation notice period becomes the notice period you need to give.
52. If you're on leave and getting Parental Leave payments and decide not to go back to work, you will still get your Parental Leave payments.
53. If you don't come back at the end of your Parental Leave, your job ends on the day you started the Parental Leave, not the day you resign or at the end of any notice period.
54. This means that any holiday pay you get in your final pay will be based on your last day of work being the day you started Parental Leave.

Partner Leave

55. If you're a partner and you meet the:
 - [six-month time criteria](#) - you may take one week's unpaid partner's leave
 - [twelve-month time criteria](#) - you may take two weeks' unpaid partner's leave.
56. You can take partner's leave within the timeframe:
 - starting 21 days before the due date of the baby, or the date your partner or spouse becomes the primary carer for a child under six years, and
 - ending 21 days after the baby is born (unless the baby is discharged from a hospital more than 21 days after the birth, in which case the partner's leave timeframe ends on the day the child is discharged) or the date your partner or spouse becomes the primary carer for the child.
57. If you and DPMC or NEMA agree, you can start your partner's leave at any time.
58. An employee can't take partner's leave if:
 - they are the biological mother and they have transferred their Parental Leave payment entitlements to their spouse or partner; or
 - the employee is the partner or spouse of the child's biological mother and they have transferred their Parental Leave payment to the employee who will have primary responsibility for the day-to-day care of the child).

APPENDIX 1: Frequently asked questions

If your question is not covered here, or in the policy and guidelines, please contact your HR Business Partner or [email the Human Resources Team](#).

Returning to Work

1. Who do I need to tell of my intentions to return to work?

You need to contact your people leader in writing on your intentions to return to work a minimum of 21 working days prior to the end of your Parental Leave.

2. Can I return to work part-time?

You can request a flexible working arrangement through our [Flexible Working](#) approach. We will try to accommodate your request however it is not guaranteed.

3. How does returning to work on different conditions affect my pay and annual leave?

Returning to work on different conditions can affect your pay and annual leave depending on the nature of the new conditions. For example, increasing your hours increases your pay and your accrued leave balance, while returning on less hours decreases your pay and your accrued leave balance.

4. Can I take on project or part time work at DPMC or NEMA while I am on Parental Leave?

Yes, the Parental Leave and Employment Protection Act 1987 now includes "Keeping in Touch Days" which enables you to perform work from time to time, while on Parental Leave if:

- you only do a total of 52 hours or less of paid work for your employer during your Parental Leave payment period, and
- this work is not within the first 28 days after your child was born.
- Your people leader agrees to this arrangement

5. I requested 6 months Parental Leave, but now I want to take the remaining 6 months?

You can request to have your Parental Leave extended (assuming you are eligible for 52 weeks leave). We ask that you give us as much notice as possible to allow for business planning to cover your position. There is no obligation for us to extend your Parental Leave.

6. I requested 12 months Parental Leave, but now I want to return to work earlier?

You can request to have your Parental Leave shortened. We ask that you give us as much notice as possible (ideally at least 21 days' notice) to allow for business planning as cover of your position may have been arranged. There is no obligation for us to agree to shorten your Parental Leave.

7. I have completed my 52 weeks Parental Leave but I'm not ready to return to work, can I have more leave, and will it affect my entitlement to the additional benefits?

You can request to take Annual Leave or Special Leave without Pay (SLWOP) and your people leader will decide if either is granted.

If approval for SLWOP or Annual Leave is granted your eligibility for the additional benefits (ex gratia and extended leave) will be held until your return to work.

Salary Reviews and Performance Rounds

8. How does the annual salary review impact me while I'm on Parental Leave?

You will not be disadvantaged. You can be considered for promotion while on parental leave. You will be notified of any salary change while on Parental Leave and any changes will take effect when you return to work. If you are to receive a lump sum or one-off payment this will be made at the same time other employees receive theirs. Assessment of your performance will be done for period prior to taking Parental Leave and in the current performance round period. You should discuss this with your people leader and consider holding a performance review discussion prior to going on parental leave. It is also recommended to ensure that your Individual Development Plan is up to date before you go on parental leave.

Leave Related Entitlements

9. What happens if I have twins? Do I get double my entitlement?

No, sorry, only one entitlement is available.

10. What leave do I take for visits or appointments?

You can take up to 10 days special leave – which is unpaid. In many cases it will only be an hour appointment, so our flexible working approach can be used. Talk with your people leader.

11. Can I take annual leave before I go on Parental Leave?

Yes, and we encourage you to do this if you want to. You may use paid leave entitlements (e.g. annual holidays) before starting your parental leave payments. In this situation you can start your parental leave payment period from the day after your paid leave entitlements end, even if it is later than the child's estimated day of delivery (EDD) or DOB, or the date they come into your care. If you won't be using paid leave entitlements, your start date cannot be later than your EDD or child's date of birth, or the day you become the primary carer of the child. Employees and people leaders should discuss the best arrangements to ensure health and wellbeing and good leave management. We acknowledge the need to be flexible as circumstances can change.

12. Can I be paid the Government paid Parental Leave payment while on annual leave after finishing work?

No, you cannot receive the Government paid parental payment while you are on annual leave.

13. What happens if I'm on annual leave and my baby arrives early?

Depends on when you start taking parental leave payments. Typically, your annual leave will finish when the baby arrives, and any remaining leave will be carried over for when you return. There are options – [look at the guidance from IRD](#).

14. Can I get my annual leave paid out in a lump sum?

Employees may request to exchange up to one week of annual holidays for cash in any one entitlement year.

15. How does returning to work part-time affect my annual leave balance?

If you change from full time to part time your annual leave balance is prorated to reflect the part time hours. You will still have the same number of days in your balance but they will be your part time hours averaged over a five day week i.e. instead of being paid an 8

hour day you would be paid a six hour day if you were on 30 hours a week. The reverse also applies. This includes leave accrued while on Parental Leave.

Superannuation

16. I am a member of KiwiSaver, what happens when I go on Parental Leave?

If you are not being paid, your KiwiSaver contributions will stop automatically (as they are deducted from your salary) - unless you plan with your scheme provider to pay them directly. The government paid Parental Leave payments do not attract employer KiwiSaver contributions. You will need to arrange with KiwiSaver to maintain your individual contributions while on parental leave.

You can also apply for a contributions holiday at any time after being a member for 12 months. Breaks can be from 3 months up to 5 years and there is no limit to the number of contributions holidays a member can take.

To request a Contributions holiday, [please follow the instructions on the IRD website](#). If IRD approve the request, they will notify us to stop making deductions.

Government Paid Parental Leave

17. What are the criteria for receiving government paid Parental Leave?

You need to have been in employment for at least six months at the time of the baby's birth. You also need to be a New Zealand resident – please see [MBIE's website](#) for more information: and,

If you are going to be the primary carer of a child under six years through giving birth or otherwise taking permanent primary responsibility for the care, development and upbringing of the child, e.g. [through adoption, whāngai, permanent care \(or similar permanent arrangement\)](#).

18. Who do I talk to if I have questions about my paid Parental Leave?

You will need to contact IRD. To find out more go to – <http://www.ird.govt.nz/yoursituation-ind/parents/parents-paid-parental-leave.html>

For amendments to an already approved applications call 0800 377 777.

For other paid Parental Leave queries call 0800 227 773

Adoption, fostering, whāngai, or other forms of primary care.

19. How does adopting a child alter taking Parental Leave?

The only difference between taking Parental Leave after adopting a child and having a baby is the lead time for notifying us of wanting to take Parental Leave. We understand that often in adoption situations not much time can always be given. Additionally, while Parental Leave ordinarily ends when the child turns one in the case of an adoption this is a year after the assumption of care and/or until the child turns six.

20. I am becoming the primary caregiver for a child through an approach other than adoption.

MBIE has a range of scenarios on their [website](#) that show how Parental Leave works with different forms of care including negotiated carer leave. If you still have questions, please contact [the Human Resources Team](#).

Organisational Change

21. What if there's organisational change while I'm away?

If a review of the organisation's structure is conducted while you're on Parental Leave, then you will be included in the consultation processes and your feedback will be sought. If the review results in your position being disestablished the same provisions that apply to other employees in similar situations will apply.

22. I don't see my situation described here

If your question is not covered here, or in the policy and guidelines, please contact your HR Business Partner who will be able to help.

Other questions

23. Can I keep my laptop and access card?

All access cards, and/ or property will need to be returned when you go on Parental Leave. You will receive an email from the Shiva notification system of what you need to do before you start your leave.

24. What happens to my email account and profiles?

Your email accounts and profiles will be disabled during your Parental Leave, for security reasons. You cannot access the IT systems while you are on Parental Leave (unless the period of leave you're applying for is 6 weeks and under).

25. Will I need to complete a security clearance again when I return from Parental Leave?

In most cases you will not have to complete security clearance again. However, the exceptions are when your current security level has lapsed, or you are moving into a role that requires a high level of security. If you hold a national security or above clearance, we will notify you well in advance to complete the forms as these levels of clearance take some time to process.

26. What happens if my people leader at the time of going on Parental Leave moves to another team or leaves?

The new people leader will get in contact with you. Any queries can be directed to [the Human Resources Team](#).

27. What is the 'hours test'?

Employees need to work for a minimum of 10-hours per week to qualify for Parental Leave.

28. When may Parental Leave start early or be extended?

Parental Leave may start up to six weeks before the expected date of delivery or adoption, however, can start earlier if:

- your doctor or midwife directs you to start your leave earlier if they believe it is necessary for the health of you or your baby, or
- DPMC and NEMA directs you to start Parental Leave early if you cannot continue to do your job safely or cannot perform your job adequately.

If your doctor or employer directs you to start your Parental Leave early, you have the right to take eight weeks' Parental Leave after the expected date of birth, and your Parental Leave is extended to allow that.

29. How does the transferring/sharing Parental Leave work?

You may transfer all or part of your Parental Leave entitlement to an eligible partner.

If your partner or spouse is also taking Parental Leave, the aggregate combined leave of both of you cannot exceed the total entitlement to 52 weeks of Parental Leave provided under the Parental Leave and Employment Protection Act 1987.

You can share your Parental Leave with your partner provided that each partner takes their leave in one continuous period. The combined total of the Parental Leave must not exceed 52 weeks.

Related policies, guidance and information (links)

59. Other documents that should be read in conjunction with this policy

- [Parental Leave and Employment Protection Act 1987](#)
- [Public Service Act 2020](#)
- [Employment Relations Act 2000](#)
- [Health and Safety Policy](#)
- [Breastfeeding in the workplace: a guide for employers](#) (Employment NZ)
- [Code of employment practice on infant feeding](#) (Employment NZ)
- [Wellbeing Policy](#)
- [Leave Policy](#)
- [Guide to how Leave works around here](#)
- [Flexible working by default policy and guide](#)



Parental Leave and ex gratia Form

Congratulations on the pending arrival of your child!

The details of how Parental Leave works for DPMC and NEMA employees is available on the [Guide to Parental Leave](#) (iManage #4447067). Please make sure to read this through before filling in the Parental Leave form. If you have any questions or concerns, please contact your HR Business partner or send your inquiry to

9(2)(g)(ii)

This application should be received at least three months before the anticipated due date of your baby, or the date you will take responsibility for your child. We understand that this timeframe is not always possible in some situations but encourage you to communicate with your people leader about expected timing as soon as possible.

To have your Parental Leave processed, you will have to complete this parental leave application and provide:

- a certificate from your doctor or midwife confirming your expected due date: or
- Primary carer documentation, for example adoption confirmation or

Send the completed form along with accompanying documents to

9(2)(g)(ii)

Please include the IRD forms that apply to you too (check the [IRD website](#) for more information):

- Paid parental leave application ([IR880](#)), if you are the Expectant Mother or Primary Carer OR
- Paid Parental Leave (PPL) Transfer ([IR881](#)), if you are the spouse or partner of a mother or Primary carer and are wanting to apply for transfer some of the IRD government paid parental leave.

Before going on Parental Leave please update your Āwhina profile with your personal email and postal address so that we can contact you while you are on parental leave with any relevant information.

Parental Leave Application

Applicant details

Name: **Applicant Name**

Position/Title:

Manager: People leader name

Business Unit:

Parental Leave Dates

The estimated due date of my baby/date at which I will take care of my child is

Estimated Date (estimated date described in the medical certificate).

I wish to apply for parental leave from **Start Date** until **End Date**.

Annual leave

- I **will not** be taking annual leave in conjunction with my parental leave.
- I **have applied** for annual leave in Āwhina; the dates for my annual leave will be **Start Date** to **End Date**. My last day in the office (before any annual leave) will be **Last Day**.

Sharing parental leave

- I **do** intend to share parental leave with my partner, and I confirm that the total amount of leave is not more than 52 weeks.
- I **do not** intend to share parental leave with my partner, and I confirm that the total amount of leave is not more than 52 weeks.

Ex gratia entitlement

The details of the ex gratia entitlement are available in the [Parental Leave Guideline](#) (iManage #4447067), page 2.

Please confirm your entitlement:

- I understand that I **am entitled** to apply for an ex gratia payment because I meet the criteria for eligibility for parental leave under the Act.
- I understand that I **am not entitled** to apply for an ex gratia payment because I meet the criteria for eligibility for parental leave under the Act.

Please choose the option that best represents your situation:

- I confirm **my partner does not** work for another Public Service Agency
- I confirm **my partner does** work for another Public Service Agency and **is not** receiving an ex gratia payment from that agency
- I confirm **my partner does** work for another Public Service Agency and **is** receiving an ex gratia payment from that agency
- None of the above statements represents my situation

Ex gratia payment

The details of the ex-gratia payment are available in the [Parental Leave Guideline](#) (iManage #4447067), page 2.

Please confirm:

1. I wish to apply for payment in advance of a portion of the ex gratia payment:
 Yes **No**
2. I wish to apply for the equivalent of Choose an item.days (maximum of 2 weeks' pay) pay as the advance portion of my ex gratia payment. I understand that receiving the advance portion of my ex gratia payment means that I agree to repay to my employer the full amount received in the event that either:
 - I choose not to return to work with my current employer at the end of my parental leave (due to resignation or applying for Leave without pay), or
 - I leave the employment of DPMC or NEMA within six months of my return from parental leave.

I understand that I will receive the balance of my ex gratia payment six months following my return from parental leave:

- Yes** **No**

Applicant Name

People leader name

Date

Date

Signature:

Signature:
