

About the PSA

The Public Service Association and Professional Officers Association Amalgamated Union of New South Wales is a union which represents New South Wales Government, New South Wales Universities and related private sector employees. We represent around 47 000 members, 58 % of whom are female.

The PSA has coverage in a vast area of the NSW Public Sector and whilst we have been successful in some cases of negotiating 1 years paid maternity leave as part of Enterprise Agreements, the general entitlement is 14 weeks paid maternity leave through the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006. The Conditions Award also provides for 1 week paid paternity or other parent leave. In all cases the quantum of paid leave available is also available to parents on adoption.

Some members such as those in the Rural Lands Protection Board have no entitlement to paid parental leave. Members who are casual employees or have not met qualifying periods of employment (usually employees have to complete not less than 40 weeks continuous service prior to the commencement of parental leave) may also be excluded from current entitlements.

The PSA's position is informed by consultation with members

The PSA's position on paid parental leave has been informed by discussions held at the PSA Women's Council Committee and by a PSA survey into Paid Parental Leave which was based on the sample questions provided in Box 1 "Personal Response" of the Productivity Commission Issues Paper April 2008.

126 surveys were returned, 110 from females (approximately 87%) and 16 from males (approximately 13%). Copies of the survey will be provided to the Productivity Commission separately in-confidence.

The model

1. 28 weeks - a minimum 2 weeks paid support prior to the birth of the child and a minimum of 6 months paid support after the birth of the child
2. a base salary provided by the government should be paid to all women, irrespective of whether they are casual, full time, part time, contractors or stay at home mums
3. a system of wage replacement
4. that the payments available to women should also be accessible to partners if they are acting as the primary carer of the child
5. a minimum of 4 weeks paid support for partners which can be used concurrently with the other partner to provide support

The PSA's proposed model has been informed by the following-

Time: while we support the International Labour Organisation's minimum standard of 14 weeks as a positive start, a new system in Australia should provide families with a minimum of **six months** of paid support.

We are arguing for a six month minimum because the World Health Organisation (WHO) argues that women need to breastfeed their babies for at least 6 months to maximise health outcomes.

WHO recommendations form the basis for local minimum standards on this issue with the NSW Health recommending exclusive breastfeeding for 6 months and the Department of Community Services only allowing adoptions if one parent is at home as a full time carer for a minimum of 6 months after placement.

71% of respondents to the survey stated that the amount of paid and unpaid leave now available was insufficient. 21% of respondents stated that current leave entitlements were sufficient while 8% of respondents did not answer the question.

Most respondents (76%) combined periods of paid parental leave with other forms of leave particularly recreation leave and long service leave. 12% of respondents did not combine their leave with any other forms of leave and 12% did not answer the question. Most respondents who combined leave stated that this had a detrimental effect on their productivity at work and even effected their decision to have another child as once these forms of leave had been exhausted they no longer had any entitlements that they could use for childcare, emergencies or to supplement further periods of parental leave.

One survey respondent who combined forms of leave stated:

It is very positive that there is paid maternity leave available however I felt it was not long enough. I therefore supplemented the maternity leave with recreational and long service leave, however this has negative effects in the long run as I have had to work long periods prior to and after having my children without taking leave in order to re-accrue these other types of leave. This means less holidays and greater stress and exhaustion over the long term.

52% of respondents wanted paid parental leave of between 26 weeks and 104 weeks, while 30% of respondents wanted paid parental leave of between 12 weeks and 24 weeks. 15% of respondents did not answer the question.

One survey respondent who had 3 months paid maternity leave stated:

I could not afford unpaid parental leave...I had difficulties breastfeeding and tried to express milk. I gave up on breastfeeding because of the short time I had with my daughter and chose to bottle feed her. This caused me much turmoil. I think having such little paid maternity leave contributed to my baby blues, problems with my relationship and finances.

Respondents also stated that there should be special provisions to extend the amount of paid time available in the case of complications including preterm babies or other health complications. One survey respondent stated that she had used all her leave entitlements including long service leave, recreation leave and sick leave but only spent 2 weeks at home with her baby as she was hospitalised prior to birth for an extended period of time and her baby was hospitalised after birth due to health problems.

Universality:

The PSA submits that a universal scheme of paid parental leave should be implemented so that women, babies and families are not disadvantaged due to the current position of the mother and partner in their employment life cycle.

As one respondent stated:

The time of life that people have babies is usually before they are financially secure...due to high house prices, bills, health insurance costs etc the decision to have children is HUGLEY influenced by finances, balanced against the age of the women and the potential for birth defects as they get older.

The PSA submits that any universal scheme should be implemented in addition to current entitlements as the universal scheme should act as a safety net for all Australians. While most of our members are entitled to some paid parental leave casuals, those who do not meet eligibility criteria and those who work for the Rural Lands Protection Boards are not.

In addition members who may themselves have access to paid parental leave are impacted by other family members who do not have access to paid parental leave. For example one member has taken 12 months leave without pay to look after her grandchild as her daughter has no paid parental leave entitlements as her daughter works for the private sector. Had there been a paid parental leave entitlement our member would have continued to work and the mother could have looked after the baby including breastfeeding the baby which she currently cannot do.

We also submit that current entitlements have been a result of bargaining and that our members should not be disadvantaged by the introduction of a universal scheme. Current entitlements have already been budgeted for by employers and have arisen as part of negotiations with employers usually encompassing factors such as recognising workers for productivity gains and encouraging employers to provide conditions in excess of community standards to recruit and retain staff. We believe that there will always be scope for employers to differentiate themselves as employers of choice and that any universal scheme should not undercut gains that have already been made.

Wage Replacement:

The PSA supports a system of full wage replacement by the employer or employer funded levy as a large proportion of our membership cannot afford to access parental

leave on less than full wages as they are either low income earners, primary or sole breadwinners for the family or have high costs of living particularly mortgage stress.

Currently the majority of our members are entitled to 14 weeks paid maternity leave and 1 weeks paid paternity leave and the same quantum of leave for adoptions. Members also receive the baby bonus payment which at 1 July will be \$5000. The PSA's position is that no one should be worse off under a new universal scheme as our members are currently struggling financially.

One respondent stated that she could not access maternity leave at half pay as she was the sole breadwinner and that the period of leave was:

Financially stressful as I am only a part timer and paid at a base rate, I had to return to work as soon as the leave ended to reduce financial strain and therefore discontinued breastfeeding and missed vital bonding time with my baby.

Another respondent who accessed leave at half pay stated that it:

Was hard when I was getting half pay. I had to do without buying extra things for my child – cheaper nappies, second hand baby equipment and living off presents given to my baby – clothes and baby needs. I had depression in the first 3 months off which didn't help with the less wage.

Another respondent who accessed some unpaid parental leave stated:

My partner and I accumulated about \$15K in credit card debts and borrowed about \$20K from my mother. It was stressful for my relationship with my partner and there was a sense of guilt for me.

Primary Career Leave/Partner Leave:

Most females who responded to the survey identified a lack of paid paternity or other parent leave to be detrimental to the family unit.

One respondent stated:

He is self employed and therefore could not afford any time off as our income would dry up. He felt very disconnected and had to try very hard to involve himself with us. Paid leave for him would have been wonderful.

Another respondent whose partner accessed unpaid leave stated that:

Due to our daughters illness and post natal depression my husband was forced to take leave without pay to take care of my daughter and myself. We very nearly lost our home.

All of the males who responded to the survey stated that the period of partner leave was inadequate to support the mother, other children and to bond with the baby.

One respondent who has 3 children stated:

With each child I took the 5 days paid leave and then supplemented this to a 3 month period using a combination of annual leave and long service leave. It is extremely difficult to get through the first 3 months without a career for the mother and the other children. 5 days paid paternity leave is grossly inadequate to be any practical use for supporting children and partners.

Most respondents identified a lack of paid paternity or paid other partner leave as being detrimental to productivity in the workforce.

He always feels exhausted and stressed as he cannot be there to help me and the kids. As well as to cope with workload, to try offering help to me and care for the children would definitely add more pressure and stress on him.

Members identified that if there was adequate paid paternity or other parent leave it would increase their productivity.

If my husband had access to paid paternity leave, it would make life with a newborn much easier and I might be able to return to work sooner. It would be less stress for everyone concerned.

Most respondents cited the need for transferable entitlements as they viewed parenting to be a joint responsibility and that a lack of transferability devalued the work women were undertaking.

Return to Work / Workplace/Workforce attachment:

Most respondents identified paid parental leave as being the reason why they returned to the same employer, in a similar position. 94% of respondents returned to the workplace after a period of paid parental leave.

If I had not received the leave I requested I would have resigned. When I went back to work it was as much to keep the job as it was for the money. If I had resigned I wouldn't have started to look for work until the girls were about 6 and 4 rather than 4 and 2 that I actually did.

The quality of members' time away from work was influenced by the employers' attitude. While a large proportion of employers welcomed or were neutral to our members' pregnancy some employers treated the pregnancy as an inconvenience.

Some employers viewed the period of full time leave positively as it provided other staff with the opportunity for career development as they could act up in the vacant position while other employers found it difficult to backfill positions due to skills shortages, funding or the attitude of management.

One respondent explained how the attitude of management impacted on her leave:

My employer did not organise a replacement for my job while I was on leave until the last minute, so the period of time leading up to my departure was very stressful as they did not recruit someone else until the week before I left. I then only had 3 days to hand over my job to her and then they only offered her a 6 month contract, so she did not stay in the role for the duration of my maternity leave, which in turn put pressure on me to return to work earlier than I had planned.

Many members stated that their employer was not good at communicating with them while they were on leave and a number of members were not advised and therefore did not access the increased parental leave provisions of the Award which occurred while they were on leave. Other members were not advised about major changes to their position:

My employer had to advertise a job that I had been acting in for years while I was on maternity leave. I wasn't aware the position had been advertised, so didn't apply and the position was awarded to another candidate.

While the majority of members (63%) did access their entitlement to part time work after a period of parental leave, most stated that the attitude of their immediate manager impacted greatly on them.

The hardest thing was having a manager who continually allocated more work and he would ring when I was on days off "because it is not like you are sick or anything". The manager also did not have any concerns about me doing work from different areas and expecting that I would be 100kms from my base office at 9am and not leaving the outlying area until after 5pm therefore travelling in my own time. This impacted on my ability to be with my family and my baby.

Many members identified that the current return to work provisions based on the Family Provisions Test Case which allows our members the right to request an additional year of unpaid parental leave (to a maximum of 2 years) and the right to return part time until the child is of school age needs to be strengthened as workplace cultures actively dissuade members from working flexibly by limiting career progression opportunities.

One respondent stated:

(I) have to deal with a very negative attitude towards maternity leave and working part time in a very male dominated workplace. Since returning to work part time I now miss out on acting in higher positions and also on training opportunities.

Other respondents stated that while the employer allowed part time work that their workload was not reduced forcing them back to full time work:

When I had my last baby I wanted to work part time on my return. The issue was that I was giving away more hours because I was still given a full workload or workload similar to when I went on leave. Therefore I chose not to (work part time)...

Most respondent cited a lack of appropriate workplace facilities to assist in the balance of work and careers responsibilities particularly the provision of appropriate breastfeeding facilities as being detrimental to their wellbeing and that of their child:

I tried to express milk at work but was unable to manage this as it took my entire lunch break and it felt strange and isolating locking myself in my office to do this. It was also difficult and time consuming to make sure all the equipment was sterile. Further, I often work in the field or attend meetings and was therefore unable to express at all on those days.

Nearly all respondents stated that if there were adequate provisions to balance work and family life that their productivity would increase. One respondent stated:

I would like to contribute but only those that work full time are considered good career prospect. More part time positions should be available, more career paths and training for part-timers, study opportunities as we can fit in distance studies with children and more work from home opportunities.

Childcare:

The vast majority of respondents (79%) stated that the availability, cost and quality of childcare effected their decision to return to work:

If I cannot get our child into childcare then I cannot return back to work. I also think that the cost of childcare should be considered...for some people I understand that they have to pay so much childcare that it is almost not even worth returning to work. This has ramifications on the careers of people and the workforce in general i.e. loss of experience and knowledge and the cost of retraining people to obtain the same skills.

The availability of appropriate childcare has a direct impact on respondent's workforce participation:

My daughter (who has special needs) was lucky enough to be granted a place close to home suitable to our needs and if that was not available I would not have been able to return to work and we would have had to probably eventually sell the house and move to something we could afford according to our then changed income.

Childcare for under 2 year olds is very difficult to access. Many members stated that this effected their return to work.

It is more difficult to get care for very young children. This is another reason why I elected to take 12 months off work.

The availability of childcare often dictates the days our members work:

My kids go 3 set days. I had to fiddle with the roster and beg my manager to achieve this, WAS NOT A PLEASANT PROCESS

Childcare centres often require parents to pay for positions from the beginning of the year or once a position becomes available whether the child attends the centre or not affecting our members' decisions to return to work:

With my second child I had to place him into day care once a position was available in order to secure a place, once he was in day care there was no reason for me to stay home and so it governed my return to work date to a certain degree (2months).

Childcare centres also often require parents to continue paying for their first child's childcare, even if the child does not attend childcare to maintain "sibling preference".

Parents who have more than one child often struggle with the cost and accessibility of childcare:

There is a lack of any type of childcare ...where I live. There is not a single family day care or long day care facility...If there was quality day care available close to home, I would be prepared and happy to return to work earlier. I am having my second child in September 2008 and have no idea how I am going to manage to drop off and collect the older child to/from pre-school (hours 0930 to 1445) and the younger one to family day care (hours 0730 to 1630) in the next village (which is in the opposite direction to which I work) then manage the 1 hour drive each way to work once I return to work in mid-2009.

Benefits of the proposed model:

While the proposed model does not address all the concerns raised by our members in regards to balancing their work and family responsibilities we believe that the proposed model if implemented would assist in creating better health and wellbeing outcomes for our members, their babies and families by providing an increased length of time at home with the baby allowing for breastfeeding in line with World Health Organisation recommendations. Financial strain on the family would also be reduced.

The employer and the economy as a whole would also benefit as the proposed model would lead to better retention of skills as staff would maintain an attachment to the workplace through the proposed employer top up model.

Staff would also be more productive on return to work as they would have had adequate time to adapt to the newborn.

In conjunction with the proposed model we believe that return to work provisions should be improved and that the existing right to request part time work until the child reaches school age need to be strengthened so that members can properly balance their work and family life.