



ST MARK'S NORTHBRIDGE PARENTAL LEAVE POLICY

Approved by Parish Council: May 2020

Parental Leave Policy

Purpose and Application of this Policy

1. The purpose of this policy is to provide for parental leave for members of the clergy licensed to the Anglican Parish of Northbridge. The Policy was adopted by the Parish Council by resolution on May 14, 2020.

Definitions

2. In this Policy –

Adoption Leave is leave taken by a male or female Minister in connection with the adoption by the Minister of a child under the age of 5 years not being a child who –

- (a) has previously lived continuously with the Minister for a period of at least 6 months, or
- (b) is a child or a step-child of the Minister or the Minister's spouse.

Archbishop means –

- (a) the Archbishop, or
- (b) during the absence of the Archbishop – the Archbishop's Commissary, or
- (c) if the See is vacant – the Administrator of the Diocese.

Assistant Minister means a deacon or presbyter licensed or authorised by the Archbishop to the office of assistant minister or senior assistant minister in the Parish.

Maternity Leave is leave taken by a female minister in connection with the pregnancy or the birth of a child of the minister.

minister means –

- (a) a rector, or
 - (b) an assistant minister (including a senior assistant minister),
- who is licensed as such to the Parish.

Parental Leave is –

- (a) Adoption Leave, or
- (b) Maternity Leave, or
- (c) Paternity Leave.

Parish means the Anglican Parish of Northbridge.

Paternity Leave is leave taken by a male minister in connection with the pregnancy or the birth of a child of his wife.

Regional Bishop means the bishop of the region within which the Parish is situated.

Parental Leave for Women

3. Entitlement to leave

- (1) A female minister is entitled to –
 - (a) up to 52 weeks continuous Maternity Leave as provided by this Policy;
 - (b) up to 52 weeks continuous Adoption Leave as provided by this Policy.
- (2) Maternity Leave is not to extend beyond 52 weeks after the date of birth of the child.
- (3) Adoption Leave is not to extend beyond 52 weeks after the date of placement of the child.

4. Notice to be given

- (1) Before taking Parental Leave to which she is entitled under paragraph 4 the minister, subject to paragraph 4(3), must give at least 3 months written notice of –
 - (a) the expected date of birth of the child or the expected date of placement of the child, and
 - (b) the dates on which –
 - (i) the Parental Leave is to begin, and
 - (ii) the Parental Leave is to end.
- (2) Notice under paragraph 4(1) must be given to –
 - (a) the Archdeacon for Women’s Ministry,
 - (b) the Regional Bishop,
 - (c) the Rector, and
 - (d) the Wardens.
- (3) If, by reason of circumstances, it is not reasonably practicable for a minister to comply with paragraph 4(1) she must give notice as soon as possible to the persons referred to in paragraph 4(2) of the date on which the Parental Leave began or is to begin and the date on which the Parental Leave ended or is to end.

5. Extending the end date of Parental Leave

- (1) Parental Leave for which a minister has given notice under paragraph 4 may be extended at the request of the minister by notice given in writing to the persons referred to in paragraph 4(2) not less than 4 weeks, but preferably not less than 10 weeks, before the date specified for the purposes of paragraph 4(1)(b)(ii). The notice is to specify the new end date for the leave, which cannot be more than 52 weeks after the date specified for the purposes of paragraph 4(1)(b)(i).
- (2) A minister is entitled to only one extension under paragraph 5(1). Any extension thereafter requires the agreement of the persons referred to in paragraph 4(2).

6. Cancellation or shortening of Parental Leave

Parental Leave for which a minister has given notice under paragraph 4 may be cancelled or shortened (whether or not the period of leave has commenced) at the request of the minister and with the agreement of the persons referred to in paragraph 4(2).

7. Remuneration

- (1) The minister is not entitled to be paid or receive benefits during the period of Parental Leave.
- (2) During the period of leave, the minister may remain in occupation of any accommodation usually provided to the minister by the Parish if the minister pays an occupation fee to the Wardens which the Regional Bishop has approved as being just and equitable having regard to all of the circumstances.

8. Undertaking service during parental leave

Notwithstanding the foregoing, a minister while on parental leave may, subject to the agreement of the Rector and the Wardens, undertake ministry duties on a limited or part-time basis in the Parish, and in such case is to receive such remuneration or benefits (if any) as may be agreed by or on behalf of the Parish Council.

Parental Leave for Men

9. Entitlement

- (1) A male minister is entitled to –
 - (a) up to 2 weeks Paternity Leave at any time up to 6 weeks after the birth of the child,
 - (b) up to 2 weeks Adoption Leave at any time up to 6 weeks after the date of placement of the child.
- (2) Leave under this paragraph may be taken in a single continuous period or in separate periods with the agreement of the Rector and the Wardens.

10. Notice to be given

- (1) Before taking Parental Leave to which he is entitled under paragraph 9, the minister, subject to paragraph 10(3), must give at least 4 weeks written notice of –
 - (a) the expected date of birth of the child or the expected date of placement of the child, and
 - (b) the dates on which –
 - (i) the Parental Leave is to begin, and
 - (ii) the Parental Leave is to end.
- (2) Notice under paragraph 10(1) must be given to –
 - (a) the Rector (if the minister is not the Rector), and
 - (b) the Wardens.
- (3) If, by reason of circumstances, it is not reasonably practicable for a minister to comply with paragraph 10(1) he must give notice as soon as possible to the persons referred to in paragraph 10(2) of the date on which the Parental Leave began or is to begin and the date on which the Parental Leave ended or is to end.

11. Remuneration

The minister is entitled to continue to be paid a stipend or any allowances during the period of Parental Leave, and –

- (a) the minister may remain in occupation of any accommodation usually provided to the minister by the Parish, and
- (b) all payments required under the Cost Recoveries Framework Ordinance 2008 on account of the “ministry costs” of the minister will continue to be paid.

General Provisions

12. Eligibility

A minister is only entitled to Parental Leave under this Policy if the minister has had at least 12 months of continuous service licensed to a position in the Diocese of Sydney immediately prior to the time of taking such leave.

13. Parental Leave and other leave

A minister may take any annual leave or long service leave (or any part of it) to which the minister is entitled instead of or in conjunction with Parental Leave. However, the total period of leave taken by a female minister cannot be extended beyond the maximum period of Parental Leave to which that minister is entitled under this Policy.

14. Minimum entitlements

This Policy sets out the minimum entitlements of a minister to Parental Leave. Entitlements which are more favourable to the minister may be agreed among –

- (a) the minister, and
- (b) if the minister is a Rector, the Regional Bishop, and
- (c) if the minister is not a Rector, the Rector of the Parish, and
- (d) the Wardens.

15. Return to service

- (1) A minister who takes Parental Leave is entitled to return, at the end of the period of leave, to the office held immediately before the commencement of that leave, unless, in the case of an Assistant minister, that office no longer exists because the Rector no longer requires the Assistant minister's former duties to be performed by anyone and the minister's appointment has been terminated in accordance with the *Assistant Minister's Ordinance 1990*.
- (2) If a female minister who holds office on a full-time basis, would like to request a return to that office on a part-time basis, she should notify the Rector no less than 10 weeks before she is due to return to work. The notification must be in writing, set out the details of the proposed change and the reasons for the change. If the Rector supports the request he may apply to the Archbishop to have the female minister licensed to the Parish on a part-time basis.
- (3) It should be noted that if a minister does not return to perform the duties of the office upon the end of the period of Parental Leave, including in circumstances where a request made under paragraph 15(2) has been declined, the Archbishop may revoke the licence of the minister in respect of that office in accordance with the *Parental Leave Ordinance 2016*.

16. Resolving Disputes

In the event that a dispute arises in respect to the operation of this policy, any party to the dispute may invite the Regional Bishop to meet with the parties with a view to facilitating resolution of the dispute.

Approved by Parish Council – May 2020