



# Police Federation of Australia

The National Voice of Policing

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## **PAID PARENTAL LEAVE SCHEME REVIEW 2013**

Thank you for the opportunity to make a submission to the Paid Parental Leave Scheme Review 2013. The Police Federation of Australia (PFA) is the national body representing the professional and industrial interests of Australia's 57,000 police officers, across all jurisdictions and has almost 99% membership density. The PFA is a federally registered organisation under the Fair Work (Registered Organisations) Act 2009.

The PFA has had the opportunity to read the ACTU's draft submission for the Paid Parental Leave Scheme Review 2013 and we support the contents of the ACTU document. This submission will focus on the importance of supporting flexible working arrangements for policing families including the right to review and the 'right to request' flexible working arrangements.

Police protect the welfare of our community; they should not have to do so while worrying about the welfare of their children. The nature of policing work and the difficulties it poses for parents is unique. This is true of some other emergency services and shift work industries, but there is an unpredictability faced by Police that is not faced by any other type of worker in Australia.

### **Victorian Experience**

#### **PPL Scheme**

In addition to the 18 weeks PPL, Police in Victoria have 14 weeks of paid PPL provided through an enterprise agreement.

As a direct result of the PPL Scheme the Police Association of Victoria has seen evidence of an increase in the length of time taken by members after childbirth. Coupled with other leave arrangements including 14 weeks paid PPL under the enterprise agreement it has allowed "most infants to be exclusively cared for by a parent for the first six months of life".

The PFA welcomes the recent 2013 Budget announcement that PPL will count as service for the purposes of eligibility for PPL. We have seen birth spacing resulting in ineligibility for PPL as the member did not meet the 10 months work test. Under the enterprise agreement parental leave (whether paid or unpaid) is not a break in service for the purposes of 14 weeks paid PPL. We echo the ACTU submission that PPL

legislation should be amended to ensure that both paid and unpaid parental leave count as service for the purposes of PPL.

We note the ACTU's submission that PPL should count for service for leave accrual. In Victoria the first 52 weeks of parental leave (whether paid or unpaid) counts as service for the purposes of personal leave accrual. Paid parental leave and any paid leave taken in conjunction (whether at full or half pay) counts as service for all other leave accrual. We support the extension of this to other workers and note that it will result in minimal cost to Victoria Police.

Police in Victoria are members of a defined benefit superannuation scheme. The rules were amended in 2010 to provide recognition of parental leave (whether paid or unpaid) as contributory service. We note the evidence that women have lower superannuation balances largely because of interrupted employment. PFA supports the ACTU submission that the SG contribution payments are made whilst a worker is in receipt of PPL.

### **Returning to work**

Police in Victoria are covered by the NES under the Fair Work Act with the right to appeal included in the enterprise agreement. The enterprise agreement further makes provisions for paid pre-natal leave, paid 'no safe job leave', the right to request flexible work arrangements for care of a child and 'right to request part time work until child reaches school age' which the employer can only refuse on 'reasonable business grounds'.

This is further underpinned by the Equal Opportunity Act (Vic) as "employer must not, in relation to the work arrangements of an employee, unreasonably refuse to accommodate the responsibilities that the employee has as a parent or carer."

There is evidence from the Victorian experience that there are greater options available to police returning to work from parental leave as a result of the legislative framework. Practical experience also suggests greater return to main stream policing.

In our view, the difficulties in returning to work from parental leave are reduced when a legislative framework exists that ensures that the employer is obliged to consider requests and a review mechanism is available when that request is unreasonably refused.

The Victorian Branch of the PFA has actively supported and advocated for members whose requests were refused. With the assistance of Fair Work Australia these matters have been resolved. The resolution of those matters has led to a more reasoned and accommodating approach by the employer than was evidenced before the intervention of the Fair Work Commission.

### **Availability of Childcare**

The PPL scheme is one significant factor in the retention of parents in the labour market. Equally important is the ability of a parent to return to work in a manner that recognises their status as a carer and the availability of affordable childcare.

The nature of policing work and the difficulties it poses for parents is unique. This is true of some other emergency services and shift work industries, but there is an unpredictability faced by police that is not faced by any other type of worker in Australia. For this reason the PFA echoes the ACTU submission in respect to FW Amendment Bill provisions requiring employers to consult with employees when establishing or changing rosters, taking into consideration the impact of the proposed changes on the employee's family and caring responsibilities. From our experience on the ground, the lack of availability of affordable childcare outside of 'business hours' is a major impediment to parents reintegrating in mainstream policing following parental leave.

The PFA welcomes the Government's 2013 announcement to work with the PFA to run Child Care Flexibility Trials.

The PPL scheme is one of a range of measures required to support police parents balancing family commitments with the important and unique job of protecting the welfare of the community. We urge the Government to continue to ensure police are supported adequately across all stages of caring for children including access to flexible childcare.

The PFA supports PPL with the amalgamation suggested above. However, as noted above, PPL is only part of a suite of measures necessary in supporting parents in the workforce such as policing.

The PFA would be happy to provide further information to the Review if that was required.

Sincerely yours

Mark Burgess  
Chief Executive Officer