



**3. Addressing the workplace disadvantage that stay-at-home-parents experience as the result of their role** – in order for stay-at-home-parents to participate in the labour market on an equal basis with other employees, there must be sufficient measures to support the combination of parenthood with employment.

**4. Economic security for parents at the time of the birth of a child and over the lifecycle** – paid leave would directly contribute to increasing economic security by providing a guaranteed source of income upon the birth of a child.

**5. Valuing children and parenthood** - realising social benefits through supporting the rearing of the next generation, valuing children, motherhood and fatherhood, and valuing the dual roles of men and women as both workers and carers.

**6. Supporting separated parents** – given the high rates of relationship breakdown in Australia, any parental leave scheme must support both parents to continue their parental roles, should they separate at any time between conception and one year after the birth of the child.

We believe that a *modified* version of the current proposal<sup>1</sup> by the Human Rights and Equal Opportunity Commission (HREOC) would be the best way to meet these objectives.

## **Proposal**

Dads on the Air supports HREOC's proposal of an incremental national scheme of paid parental leave consisting of two stages.

The first stage is for immediate introduction. The second is to be introduced following a review in two years' time.

**Stage one** is a national scheme of paid parental leave of 2 weeks duration for each parent at the rate of the federal minimum wage, or the average of each parent's previous weekly earnings from all jobs, whichever is the lesser amount.

This period of leave is to be taken either simultaneously by both parents at the time of birth with the objective of supporting the bonding and attachment between the child(ren) and their parents, or separately at any time within 14 weeks of the child(ren)'s birth, as a support for the other parent or as a way of transitioning to alternative care arrangements following the other parent's return to paid work.

The particular objectives of this period of leave are to ensure the health and wellbeing of babies and parents, and to address the workplace disadvantage that stay-at-home-parents experience as the result of their role.

In addition, stage one of our proposal includes a transferable entitlement of 12 weeks paid parental leave to be shared between the parents, calculated on the same basis as the initial 2 weeks paid parental leave. This leave can either be taken by one parent as a 12 week block, or divided pro-rata between the parents in the proportion that suits them best, e.g. 6 weeks for one parent and 6 weeks for the other.

An additional objective of this period of leave (along with those mentioned above) is to give families real choices and flexibility about the way they wish to organise their work-family balance.

Stage one of our proposal differs from HREOC's proposal in that it allows either parent to take leave to look after the child(ren), rather than only allowing the mother to do so. It may well be that the vast majority of families decide to adopt HREOC's arrangement, with the mother taking 14 weeks' leave and the father (or other parent<sup>2</sup>) taking 2 weeks' leave. However, the important thing is to offer families *choice and flexibility*. There are a number of situations in which a family may decide that it is preferable for fathers (or other parents) to take leave to look after their very young child(ren) instead of the mother (in all of these situations, the *needs of the child(ren)* are best served by allowing *both* mothers and fathers to access parental leave in the first 14 weeks of the child's life):

- (a) In families where the mother wishes to return to the workforce and the father (or other parent) wishes to stay at home to care for their child(ren), they should be granted parental leave to support this arrangement
- (b) In the case of maternal mortality, severe incapacitation or incarceration within 14 weeks of the birth of the child(ren)
- (c) In separated families where the child(ren) live with the father (or other parent besides the mother).

Our proposal also differs from the HREOC proposal by using alternative language to refer to leave arrangements. HREOC uses the terms 'maternity leave' and 'supporting parent leave'. There are two problems with this language:

- (a) Such language infers a hierarchy of parenthood, with mothers as the 'primary parent' and fathers (or other parents) in a secondary 'supporting role'. Naturally mothers and fathers have different roles – childbirth and breastfeeding being the most obvious examples – however their roles as parents are *equally important* to children.
- (b) Such language infers that the primary role of the father (or other partner) is to *support* the mother rather than to *parent* his or her children.

As Richard Fletcher from the Family Action Group, University of Newcastle notes in his submission to this Inquiry<sup>3</sup>, "Infant attachment is a key determinant of well being and having a secure attachment to both mother and father offers the best chance of healthy development. Providing opportunities for fathers to spend time with their infants should not be on the presumption that their role is fundamentally to 'help' the mother with her parenting. Fathers develop their own attachment relationships which are important for their children's healthy development. It should not be assumed, for example, that the best model of parental leave is one which recognizes only the 'primary carer' and precludes mothers and fathers taking time together. Indeed, when up to one in five mothers may be experiencing postnatal depression it will be important to allow families to chose an arrangement which allows a father to support the mother and at the same time, form a crucial secure attachment with his infant."

Dads on the Air supports HREOC's proposal that following implementation, this initial stage should be independently reviewed after two years in order to measure the impacts of the new scheme, make any necessary improvements and to develop and implement a second stage of paid leave measures.

**Stage two** of our proposal introduces an additional 38 weeks of transferrable paid parental leave to be shared between the parents, of which 4 weeks must be taken by each parent on a "use it or lose it" basis.

We support HREOC's call for the Productivity Commission to model how we could achieve an increase in the payment level beyond the federal minimum wage to, for example, two thirds replacement income.

In summary, when both stage one and stage two are in place, we will have a national paid leave scheme of one years' duration. It will comprise 2 weeks paid parental leave for each parent, to be taken within 14 weeks of the child(ren)'s birth; and 50 weeks of transferrable paid parental leave to be shared between the parents, of which 4 weeks must be taken by each parent on a "use it or lose it" basis.

Stage two would bring Australia into line with comparable countries and meet important health and wellbeing objectives, while giving Australian families the choice and flexibility to decide the way they wish to organise their work-family balance, as well as meeting the urgent need for a baseline, minimum entitlement.

## **Notes**

1. HREOC's oral submission to this Inquiry can be found online at [http://www.humanrights.gov.au/legal/submissions/2008/PML\\_20080520.doc](http://www.humanrights.gov.au/legal/submissions/2008/PML_20080520.doc).
2. In this submission, by 'other parent,' we refer to the partners of lesbian or heterosexual mothers of children conceived through IVF or other reproductive technologies.
3. The Family Action Group, University of Newcastle's submission to this Inquiry can be found online at [http://www.pc.gov.au/\\_\\_data/assets/pdf\\_file/0008/79793/sub034.pdf](http://www.pc.gov.au/__data/assets/pdf_file/0008/79793/sub034.pdf).