



your work life

HOW TO PLAN AND MANAGE YOUR MATERNITY LEAVE

This Guide provides information on the entitlements an employee has when taking maternity leave and shows you how to effectively plan and manage your own maternity leave.

Disclaimer

This information sheet is provided for the guidance of readers. It does not constitute, and should not be relied on as legal or professional advice about its application in specific instances. The author accepts no responsibility for loss or damage suffered as a consequence of this information.

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HOW TO PLAN AND MANAGE YOUR MATERNITY LEAVE

Introduction

Within the Australian community today there is strong support for action to be taken to increase the capacity of women to play a more active part in the labour market. Increasing the labour participation rates for women is seen as providing significant economic and social benefits to the nation particularly now that the population is aging and the baby boomers are beginning to leave the workforce.

In the last few years particular attention has been paid to the problems faced by women when they seek to return to the workforce after giving birth to, and caring for children. This situation has resulted in:

- Federally legislated minimum entitlements to unpaid maternity leave and related entitlements covering all employees in Australia
- The introduction of an Australian Government Paid Maternity Leave Scheme
- Inquiry by the Human Rights Commission into pregnancy at work and return to work after parental leave.

While the majority of employers acknowledge and support these arrangements, some women do encounter real difficulties in their employment when they raise the question of maternity leave. These problems range in intensity from a slightly negative reaction from an employer followed by congratulations and support through to anger, aggression and termination of employment. These employer reactions can occur for a variety of reasons with differing complexity ranging from a lack of knowledge about how to manage the situation to a conscious or unconscious desire to discriminate against a woman because she is pregnant.

However, regardless of their size and cause, maternity leave problems can have a very negative impact on a woman when she is facing the challenges associated with having a baby. It is our view that should these problems arise a woman who has a clear understanding of her maternity leave entitlements and has given some thought to how and when she will return to the workplace will be in the best position to manage them.

What Will This Guide Do for Me?

This guide will explain the entitlements you have as an employee under the Fair Work Act 2009 if you are seeking to take maternity leave and shows you how to develop a plan to manage your return to work. The Guide also discusses the actions