

# Looking for advice on:

Your rights at work  
while pregnant?

Balancing work  
and family life?

Contact FSU on:  
1300 366 378

or visit the website:  
[www.fsunion.org.au](http://www.fsunion.org.au)



Authorised by Julia Angrisano,  
National Secretary,  
June 2018

## Pregnancy, Parental Leave and Return to Work Checklist

### As soon as you know you are pregnant

- ☐ Think about when to tell your boss you are pregnant
- ☐ Schedule time off for your prenatal appointments
- ☐ Work out how much paid parental leave you will receive
- ☐ Think about when you'd like to start your parental leave (and how long you'd like to have off work with your baby)
- ☐ Your partner should check their entitlement to paid parental leave

### When you are around 25 weeks pregnant

- ☐ Tell your employer that you are pregnant (if you haven't already)
- ☐ Apply for parental leave
- ☐ Provide a medical certificate confirming your pregnancy and due date (if your employer asks)
- ☐ Complete your claim for the government-funded Paid Parental Leave scheme
- ☐ Make sure your partner gives notice now to their employer if they intend to take leave at the time of birth
- ☐ Contact FSU at [fsuinfo@fsunion.org.au](mailto:fsuinfo@fsunion.org.au) to let us know when you will begin the unpaid portion of your parental leave and the date that you expect to return to work – so we can waive your union fees while you are unwaged
- ☐ Be sure to keep copies of all correspondence with your employer about your parental leave and return to work arrangements

### When you are around 30 weeks pregnant

You should talk to your manager about the kind of contact that you would like to have with your workplace during your parental leave, eg:

- ☐ How will you be told about changes happening at work, including job vacancies?
- ☐ Would you like the opportunity to work to help you keep in touch, attend a particular event or take up a training opportunity? You can agree to work up to 10 'Keeping in Touch' days during your parental leave
- ☐ Begin thinking about child care arrangements. If you are using formal child care, you might like to check some of your local child care centres to get an idea of waiting list timeframes

### Returning to Work from Parental Leave

Around 10 weeks before you are due back at work, you should begin preparing for your return. This will make your return to work much easier for both you and your employer.

You should:

- ☐ Make contact with your manager and talk about your return to work, confirming your hours and days of work
- ☐ Confirm your child care arrangements
- ☐ Request flexible working arrangements if you need to balance child care and work commitments
- ☐ Contact FSU if you need any advice or assistance returning to work



## When should I tell my boss I'm pregnant?

Deciding when to tell people you are pregnant is a personal decision.

Many women like to wait until after the end of the first trimester before they share the news, while others tell earlier – especially if they are suffering from morning sickness. The only legal requirement is that you need to give at least 10 weeks notice that you are planning to take parental leave.

While you don't need to disclose your pregnancy, there are some advantages to telling your manager early, for example:

- It makes it easier to arrange time off for antenatal appointments;
- You may need some adjustments to the way you go about your job (e.g. if you normally stand all day, you may need access to a stool, or you may find you need more frequent toilet breaks)
- If it is unsafe for you or your baby to do your usual job whilst you are pregnant, your manager will need to properly assess the risks and make any necessary changes.

**The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.**







## Leave to attend prenatal appointments

**There are many appointments to attend whilst you are pregnant - planned visits with your doctor or midwife, ultrasounds and routine tests and check ups along the way.**

The way that time off for prenatal appointments is treated varies hugely depending on who you work for, with some employers making it difficult to get the time off you need, some treating it as time in lieu, & some deducting it from your sick leave or annual leave. Many women use their sick leave to attend prenatal appointments; however, pregnant women are just as likely as anyone else to require this leave for their own illness or to care for a member of their family who is unwell.

FSU negotiates separate prenatal leave entitlements where possible. For example, the NAB agreement provides prenatal leave up to 38 hours per pregnancy (pro-rata for part timers). At NAB, partners of pregnant women can attend 8 hours paid leave per pregnancy to attend medical appointments too.

The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.



# Parental Leave

## What is parental leave?

Parental leave is leave that can be taken when:

- you give birth
- your spouse or de facto partner gives birth
- you adopt a child under 16 years of age.

The basic entitlement is 12 months of unpaid parental leave. You can also request an additional 12 months of leave.

Some people are also entitled to have some of this leave paid (see info below).

## Who is eligible for parental leave?

You are able to take parental leave if you are a permanent employee and you:

1. have worked for your employer for at least 12 months:
  - before the date or expected date of birth if you are pregnant
  - before the date of the adoption, or
  - when the leave starts (if the leave is taken after another person cares for the child or takes parental leave)
2. have or will have responsibility for the care of a child.

If you are a casual employee, you will need to have :

- been working for your employer on a regular and systematic basis for at least 12 months
- a reasonable expectation of continuing work with the employer on a regular and systematic basis, had it not been for the birth or adoption of a child.

## Paid parental leave

The FSU negotiates for paid parental leave wherever possible. As a result, many employers in the finance industry provide 12 weeks paid parental leave.

This is in addition to the government-funded paid parental leave scheme, which is currently 18 weeks pay at the minimum wage.

[Please turn over for more information >](#)





# Parental Leave

## How much Paid Parental Leave is in my agreement?

ANZ Enterprise Agreement 2015	<ul style="list-style-type: none"> <li>• 12 weeks paid leave for primary carer (irrespective of length of service)</li> <li>• 1 week paid leave for secondary carer</li> <li>• Superannuation payments up to 24 months on your return</li> </ul>
CBA Enterprise Agreement 2014	<ul style="list-style-type: none"> <li>• 12 weeks paid leave for primary carer</li> <li>• 1 week paid leave for secondary carer</li> <li>• Superannuation payments for 40 weeks unpaid leave after you have returned for 6 months</li> </ul>
NAB Enterprise Agreement 2014	<ul style="list-style-type: none"> <li>• 12 weeks paid leave for primary carer</li> <li>• 2 weeks paid leave for secondary carer</li> <li>• Superannuation payments for 40 weeks of unpaid leave if you return to work</li> </ul>
Westpac Enterprise Agreement 2016	<ul style="list-style-type: none"> <li>• 13 weeks paid leave for primary carer (irrespective of length of service)</li> <li>• 2 weeks paid leave for secondary carer</li> <li>• Superannuation payments up to 24 months if you return to work &amp; apply within 6 months</li> </ul>
IAG Enterprise Agreement 2016	<ul style="list-style-type: none"> <li>• 14 weeks paid leave for primary carer</li> <li>• 3 weeks paid leave for secondary carer</li> </ul>
Bankwest Enterprise Agreement 2014	<ul style="list-style-type: none"> <li>• 12 weeks paid leave for primary carer</li> <li>• 2 weeks paid leave for secondary carer</li> <li>• Superannuation paid on up to 40 weeks unpaid parental leave</li> </ul>
ME Bank Enterprise Agreement 2016	<ul style="list-style-type: none"> <li>• 12 weeks paid leave for primary carer</li> <li>• 1 week paid concurrent leave for secondary carer</li> <li>• Superannuation payments for 26 weeks</li> </ul>

If your employer isn't on this list, you can check your paid parental leave entitlement in your Enterprise Agreement at: <http://www.fsunion.org.au/Awards-Agreements/default.aspx> or contact FSU on 1300 366 378

Check your entitlement to the government-funded paid parental leave scheme: <http://www.humanservices.gov.au/customer/services/centrelink/parental-leave-pay>

The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.



*Authorised by Julia Angrisano, National Secretary, June 2018*





## Leave for partners

Many families like to have time off together when a new baby is born. This allows for the workload to be shared and gives both parents an opportunity to bond with their new baby.

### So what leave can partners take at this time?

At a minimum, the National Employment Standards allow a partner of someone who is on parental leave to take up to 8 weeks unpaid leave at the time of the child's birth, (provided they are a permanent employee with over 12 months service or a casual with 12 months of regular and systematic work with the employer). This includes same sex partners.

In addition, the FSU works to negotiate paid leave for partners at the time of the birth. As a result of this, many employers in the finance industry provide at least one week of paid parental leave for partners at the time of birth. Many people also take annual leave or long service leave to extend their paid time at home with their new baby.

Depending on where you work, you might also be eligible to access more paid parental leave from your employer, if you become the baby's primary carer within the first 12 months.

You may also be eligible for up to 2 weeks government-funded Dad and Partner Pay. Find out more here: <http://www.humanservices.gov.au/customer/services/centrelink/dad-and-partner-pay>

### Prenatal leave

In some companies like NAB, FSU has negotiated leave for partners to attend some prenatal appointments.

To find out more about rights for partners working in the finance industry, contact the FSU member rights centre on 1300 366 378. If your partner is working in a different industry, they may also be entitled to the 8 weeks of unpaid leave, but should contact their relevant union for further information on any additional entitlements.

The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.





# Discrimination

**Have you experienced unfair treatment because of your return to work after parental leave?**

## Discrimination

A recent study by the Human Rights Commission found that 1 in 2 mothers experienced discrimination in the workplace.

It is unlawful to discriminate against you on the grounds of your:

- Sex
- Marital status
- Pregnancy or potential pregnancy
- Family responsibilities
- Breastfeeding

## What is discrimination?

Discrimination is when a person with a particular attribute (e.g. pregnancy) is treated less favourably than a person who doesn't have that attribute (e.g. not pregnant) would be treated in the same or similar circumstances.

For example, it would be discrimination for a person who is pregnant to be denied access to training that others in the same role but who were not pregnant would receive.

It is also discrimination when a rule or policy that is the same for everyone has an unreasonable and unfair effect on people with a particular attribute.

For example, it might be indirect discrimination if there is a blanket rule that says a particular role can only be performed full-time, as this would unfairly disadvantage those with carer's responsibilities. \*

## What can I do if I experience discrimination?

Gather evidence and keep diary notes to support your claim. Be sure to keep copies of all correspondence on the matter.

Speak up and contact FSU. We can provide the support and assistance that you'll need to raise the issue.

\* The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.

[Please turn over for more information >](#)





## Parents @ Work

# Discrimination

## What is unfair treatment?

### Negative attitudes

- You received inappropriate or negative comments because you requested or took leave to care for your child
- You received inappropriate or negative comments about breastfeeding or expressing milk
- You received inappropriate or negative comments about working part-time or flexible hours
- You were viewed as a less committed employee

### Pay, conditions and duties

- Your hours were changed against your wishes
- Your duties or role were changed against your wishes
- You didn't receive a pay rise or bonus, or received less than your peers at work
- Your position was replaced permanently by another employee
- Your employer did not adequately backfill your position during your parental leave and this negatively impacted you

### Performance assessments and career opportunities

- You were unfairly criticised about your performance at work
- You failed to gain a promotion you felt you deserved
- You were denied access to training that you would otherwise have received
- You missed out on a performance appraisal

### Job loss/dismissal

- You were treated so poorly that you felt you had to leave
- You were threatened with or made redundant / dismissed
- Your contract was not renewed

### Leave

- Your employer encouraged you to start or finish your parental leave earlier or later than you would have liked
- You were denied leave that you were entitled to

### Flexible work

- Your requests for flexible hours or work from home were denied unreasonably
- Your requests for time off to cope with illness or other problems with your baby were denied unreasonably
- You were given unsuitable work or workloads
- You were given work at times that did not suit your family responsibilities

The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.

\* Extract taken from AHRC Supporting Working Parents: Pregnancy and Return to Work National Review (2014) survey pp 50-51  
<https://www.humanrights.gov.au/supporting-working-parents-pregnancy-and-return-work-national-review-0>



Authorised by Julia Angrisano, National Secretary, June 2018





# Safety at work

## Parents @ Work

Speak up if you are concerned about your safety at work

Your employer must provide a safe environment for you and your baby when you are at work. This includes protecting you and your baby from any risks or hazards in the workplace. Sometimes this might mean making some minor adjustments to the way that you normally work, e.g. providing you with a stool if you normally stand up all day. Other times it may mean that you need to do a different job while you are pregnant.

Some of the issues associated with pregnancy that may require adjustments to working arrangements include:

Common issues in pregnancy	Need to consider the impact of...
Morning sickness	<ul style="list-style-type: none"> <li>• Early shift work</li> <li>• Exposure to strong or nauseating smells</li> <li>• Poor ventilation</li> <li>• Travel/transport</li> <li>• No easy access to a toilet</li> </ul>
Backache	<ul style="list-style-type: none"> <li>• Standing</li> <li>• Manual handling (e.g. coin)</li> </ul>
Varicose veins/other circulatory problems/haemorrhoids	<ul style="list-style-type: none"> <li>• Prolonged standing/sitting</li> </ul>
Rest and welfare	<ul style="list-style-type: none"> <li>• Frequent/urgent visits to toilet</li> <li>• Regular nutrition</li> <li>• Proximity/availability of rest/washing/eating/drinking facilities</li> <li>• Hygiene</li> <li>• Difficulty in leaving job/work site</li> <li>• Comfort</li> </ul>
Dexterity, agility, co-ordination, speed of movement, reach may be impaired because of increasing size	<ul style="list-style-type: none"> <li>• Postural demands e.g. bending over, reaching across a counter</li> <li>• Manual handling</li> <li>• Problems of working in restricted spaces</li> </ul>
Fatigue/stress	<ul style="list-style-type: none"> <li>• Overtime</li> <li>• Evening/night work</li> <li>• Lack of rest breaks</li> <li>• Excessive hours</li> <li>• Pace/intensity of work</li> <li>• Discrimination/bullying</li> </ul>

If you have any concerns about your health and safety whilst you are pregnant (or at any other time for that matter!) – make sure you raise these concerns promptly with your manager.

### Moving to a safe job whilst pregnant

If it is unsafe for you to continue with your job because you are pregnant, then you must be offered alternative work with your employer during your pregnancy. The safe job must be the same hours, conditions and pay as your original job. If there is no alternative work available, then you can access “no safe job” leave. If you qualify for paid parental leave, your no safe job leave must be paid.

The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.



Authorised by Julia Angrisano, National Secretary, June 2018



## Parents @ Work

# Your rights as a partner

### Pre-natal appointments

You might like to share the experience and provide support to your partner during her ultrasounds and appointments throughout the pregnancy.

In some companies, like NAB, FSU has negotiated special leave for partners to attend some pre-natal appointments during pregnancy.

If you don't have access to pre-natal leave during your partner's pregnancy, you could apply for time off in lieu or annual leave to attend.

### Parental leave for partners at the time of birth

Many families like to have time off together when a new baby is born. This allows the workload to be shared and gives both parents an opportunity to bond with their new baby.

As a partner, you can take up to 8 weeks leave from work at the time of your child's birth (provided you are a permanent employee with over 12 months service or a casual with 12 months of regular and systematic work with your employer). This is called concurrent leave because both parents are at home providing care to the new child at the same time.

FSU has negotiated at least one week of paid parental leave for partners at the time of birth, in many companies in the finance industry. You might like to take annual leave or long service leave to extend your paid time at home after the birth.

If you work in the finance industry and would like to know how much paid parental leave you are entitled to at the time of your child's birth, go to this page: [www.fsunion.org.au/Parental-Leave.aspx](http://www.fsunion.org.au/Parental-Leave.aspx)

If your partner is having a baby and you don't work in the finance industry, check with your union to find out if you

are entitled to paid leave at the time of your child's birth.

You might also be eligible for up to 2 weeks government-funded Dad and Partner Pay. Find out more here: [www.humanservices.gov.au/customer/services/centrelink/dad-and-partner-pay](http://www.humanservices.gov.au/customer/services/centrelink/dad-and-partner-pay)

### You can become the baby's primary carer when your partner returns to work

Many families enjoy the benefits of both parents being able to take parental leave to provide primary care to the child at different times.

This is especially important for families who find it difficult to access formal child care for babies under 2 years old.

For example, baby's mother might take parental leave at the time of birth and return to work before baby's first birthday. You might then take parental leave for up to 12 months to provide care for your baby whilst your partner is at work.

You might be eligible to access paid parental leave from your employer, if you become the baby's primary carer within the first 12 months.

Your rights as a partner are set out in your Enterprise Agreement, company's parental leave policy and the National Employment Standards.

If you're unsure about your rights as a partner, contact your Union. The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.



*Authorised by Julia Angrisano, National Secretary, June 2018*



# Adoption

**At a bare minimum, you can take up to 12 months unpaid parental leave if you have worked for your company for at least 12 months prior to the placement of an adopted child under 16 years old.**

You can also take up to 2 days unpaid pre-adoption leave to attend interviews and meetings connected with the adoption.

Adoption leave generally does not apply to a stepchild or a child who has lived with you for a period of 6 months or more.

The above is the bare minimum that is available to all Australian employees who are eligible for parental leave.

FSU members have worked together to secure better entitlements to parental leave for adoption in some companies.

Your entitlement to parental and adoption leave is set out in your Enterprise Agreement, your company's parental leave policy and the National Employment Standards.

This page contains general information. If you would like specific advice on your circumstances, please contact FSU on 1300 366 378.







## Miscarriage or stillbirths

**In the very sad event that your pregnancy ends in miscarriage or still-birth, you may be entitled to receive special maternity leave.**

Unpaid special maternity leave is available if your pregnancy has ended after you are 12 weeks along, or if your child passes away after being born.

If you are not fit for work, see your GP for a medical certificate. You can then use your paid personal/carer's leave entitlement to continue to get paid during special maternity leave.

The above is the bare minimum that is available to all Australian employees who are eligible for parental leave.

FSU members have worked together to secure better entitlements to special maternity leave in some employers.

Your entitlement to special maternity leave is set out in your Enterprise Agreement, your company's parental leave policy and the National Employment Standards.

This page contains general information. If you would like specific advice on your circumstances, please contact FSU on 1300 366 378.





## Communication

Keeping in touch can help make it easier when it is time to go back to work.

You could arrange to keep in touch with your workplace via phone calls, e-mails, visiting the workplace or agreeing with your manager to work Keeping in Touch days.

Should you agree to work up to 10 Keeping in Touch days, they will not break the requirement that you take your parental leave in one unbroken period. You will be paid your regular wage whilst working these days.

Apart from keeping in touch with your workplace, working Keeping in Touch days can also give you a practice run in balancing work and child care commitments before your official return to work date.

### *If a major change happens to your job whilst you are on parental leave*

It can be very stressful to hear that changes are occurring to your workplace or role while you are on leave. Your employer needs to take all reasonable steps to give you information about and an opportunity to discuss decisions that affect the status, pay and location of your job.

The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.





## Has your job changed?

You are entitled to come back to the job you had before you took parental leave

If you are told that your position no longer exists or are feeling pressured to take a different job, please contact the FSU for support.

If your job no longer exists or has changed

You need to be offered a suitable available job that:

- You are qualified and suited to work in
- Is nearest to your old job in pay and status

If your job doesn't exist anymore when you have come back from parental leave, this may mean a redundancy has taken place. Contact FSU to assist you through this process.

If a major change happens to your job whilst you are on parental leave

Your employer needs to take all reasonable steps to give you information about and an opportunity to discuss decisions that affect the status, pay and location of your job.

This page contains general information. If you would like specific advice on your circumstances, please contact FSU on 1300 366 378.







## Extending parental leave

Sometimes it can be really hard to return to work after parental leave, you may still be trying to establish routines or you may be finding it difficult to get the childcare that you need.

### Extending parental leave in the first 12 months

If you originally planned to take less than 12 months parental leave, you are entitled to extend your leave to a total of 12 months, provided you give 4 weeks written notice before your leave ends. Any requests to extend beyond 12 months have to be agreed by management.

### Extending parental leave beyond 12 months

You can request to extend your parental leave up to a total of 24 months.

You need to give at least 4 weeks notice in writing (but the earlier the better!). This must be before the end of your original leave period.

Be sure to include the reason that you are seeking the extension of parental leave and the new date that you are seeking to return to work. You can find a template to assist you to write this letter here: [www.fsunion.org.au/Request-to-extend-parental-leave.aspx](http://www.fsunion.org.au/Request-to-extend-parental-leave.aspx)

Your employer has 21 days to provide you with a written response to let you know whether your extension is approved. Your employer does not have to agree to your request but can only refuse on reasonable business grounds. They must include the reasons for any refusal in their written response.

Contact FSU if you need support through this process.

The above is general information only. For specific advice about your individual situation, contact FSU on 1300 366 378.

Please turn over to see sample letter for request to extend parental leave >







# Extending parental leave

Parents @ Work

[Sample letter to request an extension to parental leave:](#)

You can download a copy of this letter here: [www.fsunion.org.au/Request-to-extend-parental-leave.aspx](http://www.fsunion.org.au/Request-to-extend-parental-leave.aspx)

[Employer's name and address]

[Your name and address]

[Date]

Dear [name],

This letter is to request an extension to my unpaid parental leave.

I am due to return from parental leave on [date].

I would like to request an extension to this leave of [insert number to maximum of 52] weeks, so that my new return to work date will be [insert date].

[At this point you might like to include the reason that you are seeking the extension to parental leave, especially if it is because you have been unable to access the child care arrangements that you need, or if it is due to health-related concerns, or any other pressing reason].

I am happy to meet with you to discuss my request further.

I look forward to receiving your response within 21 days, in accordance with the requirements of the Fair Work Act (2009).

Thank you for your consideration of this matter.

Yours sincerely,  
[name]



## Parents @ Work

# Flexible Working Arrangements

### You have the right to request flexible working arrangements

Sometimes it can be challenging balancing child care and work commitments. Many members contact FSU at this time for assistance with requesting flexible working arrangements.

The right to request flexible working arrangements is available to a parent with a child of school age or younger.

Examples of flexible working arrangements include changes to:

- Hours of work (eg starting and finishing times)
- Patterns of work (eg split shifts or job sharing)
- Locations of work (eg different work location or working from home)
- Mode of employment (eg requesting to work part time)

### Put your request in writing, explaining what changes are needed and the reasons for the request

Requests for flexible working arrangements must be submitted at least 4 weeks before your expected return to work date. The earlier that you put your request in the better, as they can take some time to negotiate.

Your employer has 21 days to provide you with a written response as to whether your request is granted.

Not all requests are granted, so we strongly recommend that you begin discussions with your manager as early as possible so that you can work through any issues that may arise well ahead of your expected return date.

Here is a sample letter that you can amend and use to request flexible working arrangements: <http://bit.ly/1GjITNz>

Be sure to keep a copy of all correspondence and get any agreed changes to your work arrangements in writing. This should include information about:

1. What are the arrangements?
2. How long will these arrangements apply? (e.g. is this forever, or can you return to full time work? What is the process for doing this?)
3. When/how will this be reviewed?

Asking for part time arrangements should not mean that you have to accept a demotion.

Please contact FSU right away if you need advice or assistance with negotiating your return to work.

This page contains general information. If you would like specific advice on your circumstances, please contact FSU on 1300 366 378.

[Please turn over to see sample letter to request flexible working arrangements >](#)

# Example Letter: Request for flexible work arrangements

1 January 2015

## Private and confidential

Employee details: Charlotte Dusting  
1 Bayswater Rd  
Essendon VIC 3040  
0422 222 222  
Accounts and Administrative Assistant

Dear Felix

### Request for flexible work arrangements

I would like to request under section 65 of the *Fair Work Act 2009* (the Act) to work a flexible work arrangement that is different to my current working arrangement. I am making this request to help me care for my 12 month old daughter. I can confirm that I have worked continuously as an employee of this business for the last 12 months and am employed on a part-time basis. I am currently rostered to work Tuesday to Friday.

I would like to vary my starting and finishing times by one hour. This would essentially mean starting work at 8.30am and finishing at 4.30pm, instead of commencing at 9.30am and finishing 5.30pm as my roster currently stands.

This change will assist me to care for my daughter because I will be able to pick her up from childcare by the facility's standard closing time. I would like this working arrangement to start from next month, specifically, the week commencing Monday, 7 February 2015.

I believe that the effect on the business and my colleagues can be accommodated by my commitment to completing my early morning duties before clients begin to come in. This arrangement will benefit my colleagues, as I will have greater availability to assist clients throughout the day. This will not only alleviate pressure on my colleagues, but will also ensure that our clients are serviced in a timely manner.

I would appreciate your response to this request, in accordance with the Act, within 21 days of today's date.

I am happy to discuss this matter at a time that is convenient to you. I am willing to discuss possible alternatives to the arrangements I have proposed and I am also willing to work with you to make sure that this arrangement is mutually beneficial and effective for both the business and me. Please find my contact details at the top of this letter.

Yours sincerely,

*Charlotte*

Charlotte Dusting

This letter is an example of a request for flexible work arrangements from [www.fairwork.gov.au](http://www.fairwork.gov.au).

Please keep a copy of all correspondence between yourself and your employer for your records.

For more information or assistance, call the FSU Member Rights Centre on 1300 366 378.



Authorised by Julia Angrisano, National Secretary, June 2018





## Parents @ Work

# Changes to hours of work

### If your Manager requests changes to your hours or days of work

It can be difficult to make changes to your roster when you are a parent. If your manager requests a change to your days or hours of work, you'll need to think about what the change will mean for your child care commitments.

Take the time to consider the request and see if changes can be made to your child care arrangements. If you find that it isn't possible to make the change, explain to your manager the reason why (for example, you have spoken to the Director of the child care centre, and unfortunately there is no vacancy for the day the manager has requested you work).

If the manager requests a change to your hours of work that doesn't have a negative impact on your personal, family or financial circumstances, the change is generally considered reasonable and you will be expected to make the change.

The above is general information. For individual advice about your specific circumstances, contact the FSU on 1300 366 378.

### If you need to request changes to your hours or days of work

The right to request flexible working arrangements is available to a parent with a child of school age or younger.

Examples of flexible working arrangements include changes to:

- Hours of work (eg starting and finishing times)
- Patterns of work (eg split shifts or job sharing)
- Locations of work (eg different work location or working from home)
- Mode of employment (eg requesting to work part time)

Put your request in writing, explaining what changes are needed and the reasons for the request. Get advice from FSU before putting your request in writing.

Requests for flexible working arrangements must be submitted at least 4 weeks before your expected return to work date. The earlier that you put your request in the better, as they can take some time to negotiate.

Your employer has 21 days to provide you with a written response as to whether your request is granted.

Not all requests are granted, so we strongly recommend that you begin discussions with your manager as early as possible so that you can work through any issues that may arise well ahead of your expected return date.

Here is a sample letter that you can amend and use to request flexible working arrangements:  
<http://bit.ly/1GjITNz>

Be sure to keep a copy of all correspondence and get any agreed changes to your work arrangements in writing. This should include:

1. What are the arrangements?
2. How long will these arrangements apply? (i.e - is this forever or can you return to full time work at an agreed time?)
3. When/how will this be reviewed?

Please contact FSU right away if you need assistance.

[Please turn over to see sample letter to request flexible working arrangements >](#)



Authorised by Julia Angrisano, National Secretary, June 2018



# Example Letter: Request for flexible work arrangements

1 January 2015

## Private and confidential

Employee details: Charlotte Dusting  
1 Bayswater Rd  
Essendon VIC 3040  
0422 222 222  
Accounts and Administrative Assistant

Dear Felix

### Request for flexible work arrangements

I would like to request under section 65 of the *Fair Work Act 2009* (the Act) to work a flexible work arrangement that is different to my current working arrangement. I am making this request to help me care for my 12 month old daughter. I can confirm that I have worked continuously as an employee of this business for the last 12 months and am employed on a part-time basis. I am currently rostered to work Tuesday to Friday.

I would like to vary my starting and finishing times by one hour. This would essentially mean starting work at 8.30am and finishing at 4.30pm, instead of commencing at 9.30am and finishing 5.30pm as my roster currently stands.

This change will assist me to care for my daughter because I will be able to pick her up from childcare by the facility's standard closing time. I would like this working arrangement to start from next month, specifically, the week commencing Monday, 7 February 2015.

I believe that the effect on the business and my colleagues can be accommodated by my commitment to completing my early morning duties before clients begin to come in. This arrangement will benefit my colleagues, as I will have greater availability to assist clients throughout the day. This will not only alleviate pressure on my colleagues, but will also ensure that our clients are serviced in a timely manner.

I would appreciate your response to this request, in accordance with the Act, within 21 days of today's date.

I am happy to discuss this matter at a time that is convenient to you. I am willing to discuss possible alternatives to the arrangements I have proposed and I am also willing to work with you to make sure that this arrangement is mutually beneficial and effective for both the business and me. Please find my contact details at the top of this letter.

Yours sincerely,

*Charlotte*

Charlotte Dusting

This letter is an example of a request for flexible work arrangements from [www.fairwork.gov.au](http://www.fairwork.gov.au).

Please keep a copy of all correspondence between yourself and your employer for your records.

For more information or assistance, call the FSU Member Rights Centre on 1300 366 378.



Authorised by Julia Angrisano, National Secretary, June 2018





## Breastfeeding

Returning to work doesn't have to mean that you need to stop breastfeeding. You can continue to breastfeed when you return to work, for as long as it suits you and your baby.

Your company should support you to continue to breastfeed by providing you with breastfeeding and expressing facilities and flexible lactation breaks. If they do not provide this support, they may be discriminating against you and may be breaking the law.

For a step by step guide on discussing your breastfeeding needs with your manager, visit the Raising Children website: [http://raisingchildren.net.au/articles/breastfeeding\\_and\\_work.html](http://raisingchildren.net.au/articles/breastfeeding_and_work.html)

Some things you may need to breastfeed or express milk at work include:

- a private area (not the toilet) with a comfortable chair
- a refrigerator for storing expressed breastmilk
- somewhere to store an electric or manual breast pump
- a power point close to a low table, next to the chair (if you're using an electric breast pump)
- a wash basin to wash hands and rinse out pump parts
- enough time to express milk during your lunch break and any other breaks if needed.

For support and information about breastfeeding, or tips for continuing to breastfeed when you return to work, visit the Australian Breastfeeding Association: [www.breastfeeding.asn.au](http://www.breastfeeding.asn.au) or phone the ABA helpline 1800 MUM 2 MUM.

The above is provided as general information. For workplace advice or support about your individual circumstances, please contact FSU on 1300 366 378.



## If there is a problem...

You can get advice and representation from FSU to help resolve any problems that arise during your pregnancy, parental leave or return to work.

You should talk to your employer as soon as you can to try to resolve the problem. FSU can give you advice and support for the best way to approach your manager.

You are protected from discrimination based on your pregnancy and carer's responsibilities by various laws including the Fair Work Act (2009), Sex Discrimination Act (1984) and your state or territory antidiscrimination legislation.

Contact our Member Rights Centre on 1300 366 378.



*Authorised by Julia Angrisano, National Secretary, June 2018*





## Parents @ Work

# More information

For support, advice and representation at work  
FSU 1300 366 378  
[www.fsunion.org.au](http://www.fsunion.org.au)

For government paid parental leave scheme,  
child care assistance and Dad & Partner Pay  
[www.humanservices.gov.au](http://www.humanservices.gov.au)

Find a registered child care provider via the  
Australian Government's child care portal  
[www.mychild.gov.au](http://www.mychild.gov.au)

Find your local PlayGroup  
<http://playgroupaustralia.org.au>

For breastfeeding information and support 1800  
MUM 2 MUM  
[www.breastfeeding.asn.au](http://www.breastfeeding.asn.au)

Baby health  
Speak to your doctor or visit:  
[www.healthdirect.gov.au](http://www.healthdirect.gov.au)  
1800 022 222

For baby and toddler care and sleep advice  
Contact your doctor, Community Health Nurse or  
Tresillian  
Parent's helpline: 1800 637 357  
<http://www.tresillian.net/>

Support for parents with children under 5  
<http://karitane.com.au>

Post and Antenatal Depression Association  
Helpline  
Speak to your doctor or contact PANDA: 1300  
726 306 | <http://www.panda.org.au>

Beyond Blue  
[www.beyondblue.org.au](http://www.beyondblue.org.au)

Domestic Violence 1800 737 732  
[www.1800respect.org.au](http://www.1800respect.org.au)



*Authorised by Julia Angrisano, National Secretary, June 2018*

