

Employer Funded Parental Leave (including Dad & Partner) Policy

Purpose and Scope

The purpose of this policy is to outline the parental leave entitlements available to eligible (Australian based) employees in addition to any entitlements under the *Fair Work Act 2009* and the *Paid Parental Leave Act 2010*.

This Policy applies to all employees of Australian based Vail Resorts Employees who satisfy the criteria to be eligible for the Australian Federal Government Paid Parental Leave and the Dad & Partner Pay programs.

Commencement

This Policy commences from the 1st January 2020 and applies to all staff that receive payments under either the Australian Government Paid Parental Leave scheme or the Dad & Partner Pay programs, on or after this date. Employees who commenced these programs prior to 1 January 2020 are ineligible under this Policy.

Eligibility

Only employees who have successfully applied for either the Australian Government Paid Parental Leave or the Dad & Partner Pay schemes are eligible to be covered by this Policy. This Policy is only available to employees who have or will have responsibility for the care of a child and meet the eligibility for the Australian Government Paid Parental Leave or the Dad & Partner Pay scheme.

Eligibility for the Australian Government Paid Parental Leave or the Dad & Partner Pay schemes are outlined below:

Paid Parental Leave

- be the primary carer of a newborn or newly adopted child
- individually earned less than \$150,000 in the last financial year
- be on leave or not working whilst receiving Parental Leave Pay
- have done enough work in the 13 months prior in order to meet the Australian Government 'work test'

Dad and Partner Pay

- be caring for a newborn or newly adopted child
- individually earned less than \$150,000 in the last financial year
- not be working or taking paid leave during the Dad & Partner Pay period
- have done enough work in the 13 months prior in order to meet the Australian Government 'work test'

Approval for employees to be eligible for either Parental Leave Pay or Dad & Partner Pay is determined by the Australian Government through the Department of Human Services. Any employee deemed ineligible for these programs, by the Department of Human Services will not be determined, advocated or disputed by the Employer.

Pay

- **Paid Parental Leave**

Under the Australian Government Parental Pay scheme eligible employees who are the primary carer of a new-born or adopted child may be entitled to eighteen (18) weeks paid leave, paid at the national minimum wage through the Government (currently at \$740.80 per week as at the 1st January 2020).

Under this policy for the first 8 weeks the employee, in addition to their Australian Federal Government Paid Parental Leave will be paid up to the value of their normal weekly base earnings. For salaried staff paid under a Total Employment Cost (TEC) the normal weekly earnings would be current salary amount at the time of taking the leave. For those staff paid under a wages arrangement the normal weekly earnings would be their contract working hours multiplied by their base rate, excluding any allowances or penalties.

Employees engaged under a part-time working arrangement at the time of taking this leave would be paid the equivalent to the normal weekly base earnings at the time of taking the leave.

Where the employees normal weekly base earnings are below the amount provided for by the Australian Federal Government Paid Parental Leave then no payment would be applied through the Employer Funded Parental Leave.

Please see examples below outlining how this payment would apply:

Example A:

Employee A is working full-time on a salary of \$1250 per week when commencing unpaid Parental Leave and has been approved under the Australian Federal Government Paid Parental Leave program to receive the 18 weeks of payment. The Australian Government currently pays \$740.80 per week (based on the weekly national minimum wage).

Under the Employer Funded Parental Leave Policy Employee A would be paid an additional amount of \$509.20 (bringing their weekly total to \$1250) for the first 8 weeks of Parental Leave.

Example B:

Employee B is employed full-time (38 hours) on a wage of \$25.00 per hour when commencing unpaid Parental Leave and has been approved under the Australian Federal Government Paid Parental Leave program to receive the 18 weeks of payment. The Australian Government currently pays \$740.80 per week (based on the weekly national minimum wage).

Under the Employer Funded Parental Leave Policy Employee B would be paid an additional amount of \$209.20 for the first 8 weeks of Parental Leave.

- **Dad & Partner Leave**

Under the Australian Government Dad & Partner Pay scheme eligible employees may be entitled to a payment equivalent to the minimum wage for up to 2 weeks while they are on unpaid leave from work to care for a new child.

Under this Policy during this leave, the employee, in addition to their Australian Government Dad & Partner Pay, will be paid up to the value of their normal weekly base earnings; meaning that Perisher pays the difference between your Dad and Partner Pay entitlement and your normal earnings. For salaried staff paid under a Total Employment Cost (TEC) the normal weekly earnings would be their current salary at the time of taking the leave. For those staff paid under a wages arrangement the normal weekly earnings would be their contract working hours multiplied by their base rate, excluding any allowances or penalties.

Employees engaged under a part-time working arrangement during the period of taking this leave, would be paid the equivalent of their normal weekly base earnings during Dad & Partner leave.

Where the employee's normal weekly base earnings is below the amount provided for by the Australian Government Paid Parental Leave, then no payment would be applied through the Employer Funded Parental Leave.

Please see examples below outlining how this payment would apply:

Example C:

Employee C is working full-time on a salary of \$1250 per week when commencing unpaid leave and has been approved under the Australian Government Dad & Partner program to receive the 2 weeks of payment. The Australian Government currently pays \$740.80 per week (based on the weekly national minimum wage).

Under Perisher's Employer Funded Parental Leave Policy, Employee C would be paid an additional amount of \$509.20 (bringing their weekly total to \$1250) for the first 2 weeks of this leave.

Example D:

Employee D is employed full-time (38 hours) on a wage of \$25.00 per hour when commencing unpaid leave and has been approved under the Australian Government Dad & Partner program to receive the 2 weeks of payment at \$740.80 per week.

Under Perisher's Employer Funded Parental Leave Policy, Employee D would be paid an additional amount of \$209.20 for the first 2 weeks of this leave.

Superannuation

Payment for parental leave is not included in ordinary time earnings for the purpose of calculating the superannuation guarantee. Therefore, there is no superannuation contribution made when an employee is paid under this policy.

Accrual of leave

The accrual of annual leave and personal/carer's leave under the (National Employment Standard) NES is based on the service of the employee with the employer. The Fair Work Act (s22) identifies the type of absence which does not count as service, referred to as an 'excluded period'. Excluded periods are unauthorised absences, unpaid leave or authorised unpaid absence. Employer Funded Parental Leave is an absence which is paid by the employer and, consequently, would be recognised as service under the Fair Work Act. This means the employee would accrue leave during the period of company paid parental leave. Accrual of leave would cease at the end of paid parental leave and would not recommence until the employee returns from unpaid parental leave.