

'Dad and Partner Pay' Now Available

Jacqueline Ion and Sarah White - February 2013

KEY POINTS

- Since 1 January 2013, eligible fathers and partners (including same sex partners) have been entitled to 'dad and partner pay' from the Federal Government.
- Employers might like to remind their employees to consider this entitlement and review their existing parental leave policies to ensure they are consistent with the 'dad and partner pay' changes and parental leave provisions in the *Fair Work Act 2009* (Cth).

What is 'dad and partner pay'?

'Dad and partner pay' is intended to provide financial assistance to fathers and partners to support the primary caregiver of the child (in addition to any employer-funded parental leave schemes).

The existing paid parental leave scheme has been extended so eligible dads and partners (including same sex partners) will be entitled to up to 2 weeks 'dad and partner pay' at the national minimum wage to care for a child born or adopted after 1 January 2013.

Who is eligible?

To be eligible, the 'dad or partner' must:

- care for the child
- be the biological father of the child, the partner (including same sex partners) of the child's birth mother or an adoptive parent
- not be at work or on paid leave at the time they are receiving the 'dad or partner pay'
- have worked at least 10 of the 13 months prior to the expected birth or adoption
- have worked at least 330 paid hours in the 10 month period

- have an income less than \$150,000 in the financial year before the payment is claimed or made
- be an Australian resident.

When can 'dad and partner pay' be claimed?

'Dad and partner' pay can be claimed in the first 12 months after the birth or adoption of a child.

How are the payments made?

Unlike the existing government-funded parental leave pay for primary caregivers, employers are not required to administer 'dad and partner pay' to eligible employees.

Payments are made by the Department of Human Services.

What should employers do?

Employers should remind employees who are about to be dads to consider the entitlement to 'dad and partner pay' and see if they are eligible. It is also advised that employers review their existing parental leave policies or consider implementing policies to ensure they are consistent with the 'dad and partner pay' changes as well as the parental leave provisions in the *Fair Work Act 2009* (Cth).

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For more information please contact:



Jacqueline Ion
Partner

T: (08) 8205 0820
M: 0408 844 142
jion@kellyco.com.au



Clare Raimondo
Partner

T: (08) 8205 0565
M: 0439 843 803
craimondo@kellyco.com.au