

Parental Leave Information

Parental Leave Eligibility:

You may be eligible for parental leave if you are permanent or fixed term employee and will have been employed by Toitū Te Whenua (LINZ) for a minimum of 6 months (at an average of at least 10 hours a week) by the expected date of delivery of your baby.

Your employment agreement (either the Collective Employment Agreement or an Individual Employment Agreement) and the LINZ [Holidays and Leave Policy](#) set out your entitlement to parental leave, and supplements the Parental Leave and Employment Protection Act 1987.

Parental Leave Entitlements:

'Parental leave' is made up of a variety of leave types depending on your individual situation. These are:

- Primary Carer leave (government funded)
- Pre-term leave (government funded)
- Special leave
- Partner's leave
- Extended leave
- Negotiated carer leave

Full details of the provisions of the Parental Leave and Employment Protection Act, including eligibility criteria, leave types, the requirements for applying for leave and minimum entitlements, are available at [Employment New Zealand](#).

Applying for Parental Leave:

Your application for parental leave should be made as soon as practicable. You will need to complete the 'Parental Leave without Pay' application form and submit the form along with a confirmation of your expected date of delivery. If you or your spouse or partner are having a baby and want to take parental leave or negotiated carer leave ideally you will provide at least one month's notice before the date that you intend parental leave to commence.

If neither you, your spouse or partner are having a baby but you're going to start being the permanent primary carer of a child under 6 years, let your leader know as soon as possible.

The LINZ Parental Leave Application Form (found on the intranet) can be used to supplement your request. Your request should include:

- The types of leave being applied for and information about any parental leave that your spouse/partner intends to apply for.

- The date on which you wish to commence leave and the date that you expect to return to work.
- A medical certificate from your doctor or midwife confirming pregnancy and the estimated due date.

If parental leave is being shared with your spouse or partner, the form must also include:

- The dates on which you and your spouse or partner plans to start and finish each period of leave.
- Your spouse or partner's name and the name and address of their employer.
- That you and your spouse or partner are both eligible for the leave you are applying for.
- That the total amount of leave you and your spouse or partner are taking will not be more than 52 weeks (not counting any Partner's Leave taken). Please note the 52 weeks applies to employees who have been working at LINZ for more than 12 months.

Paid Parental Leave:

You may be eligible for paid parental leave for up to 26 weeks, through a government funded scheme that is administered by Inland Revenue (IR).

The Inland Revenue (IR) processes paid parental leave payments. You are responsible for lodging your own application for paid parental leave and paid pre-term leave directly through IR. As of 1 March 2021 all paid parental leave applications must be completed and submitted via your myIR account. See [here](#) for more information.

It is recommended that you call Inland Revenue before your leave commences to make sure you are on the right tax code. Receiving payments from both Inland Revenue and LINZ may require you to pay secondary tax which could prevent you from receiving a tax bill at the end of the year.

Top up payment from Toitū Te Whenua:

If you are entitled to paid parental leave you will also be eligible for a top up payment from LINZ for 18 weeks within the 26 week period.

Any top up payment entitlement will be calculated at the rate of your base pay that would have applied during the 18 weeks, less the paid parental leave you receive from IR.

Keeping in touch days:

Your leader will ensure you are kept up to date with any developments while you are away to help make your return to work easier.

While receiving your parental leave payment you can also choose to perform work from time to time without losing your entitlement for payments. The criteria for this is:

- You undertake no more than 52 hours of paid work while receiving parental leave payments, and
- This work is not within the first 28 days after your child was born

Please note, keeping in touch hours relate directly to work events, meetings, and activities that occur during usual business hours. After hours social functions are optional and unpaid.

The keeping in touch days do not apply to paid work you perform during a period when you're getting or are able to get a pre-term baby payment. Please talk to HR about extra keeping in touch days during a pre-term baby payment period.

Notice of Intention to Return to Work:

Although you will already be in touch with your leader throughout your parental leave, when you wish to return to work please provide them at least 21 days' written notice of your intention to return so we can ensure that the best support is in place.

Returning to work:

Flexible and part time arrangements

You and your leader can discuss flexible and part time options as part of your return to work to ensure the best support is in place for you to manage across your work, life and family commitments.

Please refer to the Flexible Working Arrangements Policy for full details and how to apply.

At Toitū Te Whenua when you return to work your annual leave holds its full monetary value. This means it might be worthwhile to return to work fulltime (instead of part time) and supplement shorter work days with annual leave.

Support for breastfeeding

Facilities and support are available at each office for employees to breastfeed or express milk. These rooms provide storage space and cleaning facilities for equipment, and a fridge that can be used to store milk.

The rooms that are available for parents are located as follows:

Wellington Level 9

Hamilton Level 3

Christchurch Level 1

Appropriate breaks for breast feeding can be arranged between you and your manager.

Further information:

For further details see the 'Parental Leave' section of your employment agreement, and the [Parental Leave](#) page on Whatukura which includes links to further information.

The [IRD website](#) contains information on paid parental leave and how to apply.

The MBIE [Employment website](#) also contains information about parental leave eligibility.

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Appendix 1: LINZ Reference Table of Parental Leave Types and Entitlements

Primary Carer Leave (IR Payments):	Preterm Leave (IR Payments):	Special Leave:	Partner's Leave:	Extended Leave (unpaid):	Negotiated Carer leave:
<p>Who?</p> <ul style="list-style-type: none"> Employees who are having a baby, or spouse or partner if they have been transferred all or part of the birth mother's parental leave payments, or employees who are going to be the permanent primary carer of a child under six. <p>What?</p> <ul style="list-style-type: none"> Period of up to 26 weeks must be taken in one continuous period. <p>When?</p> <ul style="list-style-type: none"> Starts on the due date, or the date childbirth starts, or the date that the employee becomes a primary carer, or up to six weeks before the baby's due date if directed by a doctor, midwife, or employer, or after their period of paid leave ends (e.g. annual leave). 	<p>Who?</p> <ul style="list-style-type: none"> Employees eligible for parental leave payments, and Employees caring for a baby who was born live before the end of 36 weeks' gestation. <p>What?</p> <ul style="list-style-type: none"> Continuous period of up to 13 weeks paid at the same rate as the parental leave payment. NOTE: Preterm leave is in addition to primary carer leave. <p>When?</p> <ul style="list-style-type: none"> Starts the date the baby is born, or The day you become the permanent primary carer of the child. 	<p>Who?</p> <ul style="list-style-type: none"> Employees who are pregnant. <p>What?</p> <ul style="list-style-type: none"> Up to 10 days' unpaid special leave, which can be used for any reason connected with her pregnancy. <p>When?</p> <ul style="list-style-type: none"> During pregnancy. 	<p>Who?</p> <ul style="list-style-type: none"> Spouse or partner of the biological mother or permanent primary carer of a child under six. NOTE: Not the biological mother who had transferred her parental leave entitlements to her spouse or partner or employee who is the nominated primary carer who had been transferred parental leave payments. <p>What?</p> <ul style="list-style-type: none"> Period of up to two weeks (14 calendar days) special leave without pay. <p>When?</p> <ul style="list-style-type: none"> Starting 21 days before, and ending 21 days after, the expected due date or the date your partner or spouse becomes the primary carer. 	<p>Who?</p> <p>Employees who have been employed by the Ministry for:</p> <ul style="list-style-type: none"> six months, or 12 months or more. <p>What?</p> <ul style="list-style-type: none"> Six month criteria: maximum of 26 weeks. Twelve month criteria: maximum of 52 weeks. NOTE: extended leave includes the 26 weeks paid parental leave. <p>When?</p> <ul style="list-style-type: none"> Starts on the due date, or the date childbirth starts, or the date that the employee becomes a primary carer. NOTE: must end by the date the child turns one year or by the 12 months' anniversary of the employee or their spouse or partner becoming the primary carer. 	<p>Who?</p> <ul style="list-style-type: none"> Employees, if they or their spouse or partner are pregnant, who don't qualify for primary carer leave <p>What?</p> <ul style="list-style-type: none"> Leave without pay. <p>When?</p> <ul style="list-style-type: none"> At least three months unpaid leave before the due date 14 days before they become the primary carer

*full details of parental leave types and eligibility can be found [here](#). Any queries, feel free to contact HR