



CIRCULAR TO DEPARTMENTS AND AUTHORITIES NO. 2 OF 2011

**IMPLEMENTATION OF THE COMMONWEALTH PAID PARENTAL LEAVE ACT 2010:  
ACCESS TO KEEPING IN TOUCH PROVISIONS**

The *Paid Parental Leave Act 2010* (the Act) has introduced a national paid parental leave scheme which commenced operation on 1 January 2011. Under the Act employees can agree to attend work for the purpose of 'keeping in touch' for up to 10 days during the 18 weeks they are receiving the Commonwealth parental leave pay (with the exclusion of the 2 weeks immediately after the birth or adoption of a child).

An unintended consequence of the Act has arisen whereby returning to work to keep in touch with the workplace will constitute a break in service affecting the employee's entitlement to unpaid parental leave and may have other flow-on consequences. The Commonwealth Government has published advice that amendments to the *Fair Work Act 2009* will be introduced in 2011 to ensure that a keeping in touch day does not break an employee's continuous period of leave.

Until these amendments have been made public sector agencies must not require or approve employees who are eligible for the Commonwealth paid parental scheme to attend work for the purposes of keeping in touch.

This Circular is to be read in conjunction with Circular to Departments and Authorities no. 13 of 2010.

Please contact your Labour Relations Adviser if you require further information.

**BOB HORSTMAN  
EXECUTIVE DIRECTOR  
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20 January 2010