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# **Paid Parental Leave evaluation: Phase 1**

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## A note on authorship

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# Executive summary

## Context

From 1 January 2011, Australian families in which a mother was in the paid workforce before the birth or adoption of a baby may be eligible for a new Australian Government-funded Paid Parental Leave (PPL)<sup>1</sup> scheme. The scheme provides eligible parents with up to 18 weeks of Parental Leave Pay (PLP), paid at the National Minimum Wage, following the birth of a child. The PPL scheme brings Australia into line with all other OECD countries, except the United States, in having a national scheme for paid leave available to mothers following childbirth.

In May 2010, the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) commissioned the Institute for Social Science Research at the University of Queensland to undertake a comprehensive evaluation of the PPL scheme following its commencement. The evaluation will assess the outcomes of the scheme, including progress towards the three main policy objectives. It will also evaluate operational aspects of the scheme. This report provides the main findings of the baseline (first) phase of the evaluation.

There were 295,700 births registered in Australia in 2009, reflecting a total fertility rate of 1.90 babies per woman. About 45 per cent of Australian births are first births (ABS 2009c). Some 65 per cent of births in 2009 were to currently married mothers, with many of the remaining 35 per cent of births to mothers in de facto relationships.

The labour force participation rate of women has been increasing over the past two decades, reaching 59 per cent in February 2011. The increasing tendency of mothers to be in the paid workforce has been a key factor in the overall rise in women's labour force participation. Between 1996 and 2006 the participation rate of mothers with children aged 0 to 14 years rose from 59 per cent to 64 per cent. In February 2011, 63 per cent of the 726,200 Australian families with one child under 15 had both parents in the workforce.

Many Australian mothers work part time. In 2006, 59 per cent of employed mothers with children aged 0 to 14 years worked part time, compared to 45 per cent of all employed women. Mothers having their first child are much more likely to have been in paid employment before the birth of their child than mothers having a second or subsequent child. Some 85 per cent of mothers who gave birth to their first child in late 2009 were in paid employment before the birth.

## Arrangements and supports to parents with infants before PPL scheme

Before the introduction of the PPL scheme, the main forms of parental leave available to Australian workers were:

*Unpaid parental leave.* Current provisions under the *Fair Work Act 2009* provide that both parents have the right to separate periods of up to 12 months of unpaid leave associated with the birth or adoption of a child under 16 years of age. Eligible employees are long-term employees who have completed 12 months' continuous service with their employer immediately before the date (or expected date) of the birth or adoption of a child.

*Paid parental leave provided by employers.* Paid parental leave, mostly for mothers, was available through legislation for some government employees, through some enterprise agreements and through other company provisions. By 2009, most government employees were entitled to at least 14 weeks of paid maternity leave. Provisions under industrial agreements and company policies varied considerably, though few provided for maternity leave beyond 14 weeks. Where paternity leave was provided, it was most commonly for one week. The proportion of organisations providing paid maternity leave has risen significantly during the past ten years. In 2010, 54 per cent of organisations reporting to the 2010 Equal Opportunity in the Workplace for Women Agency (EOWA) offered paid maternity leave to some employees.

*Paid carer's leave.* Under the National Employment Standards in the *Fair Work Act 2009*, non-casual employees are entitled to 10 days paid personal/carer's leave for each year of service with their employer. This leave accumulates if it is not used, and there is no limit to the amount that may be used or accumulated.

*Unpaid carer's leave.* Under the National Employment Standards in the *Fair Work Act 2009*, all employees are entitled to two days of unpaid carer's leave for each occasion when a member of the employee's immediate family or household requires care or support because of illness or an emergency. Unpaid carer's leave cannot be taken where an employee is entitled to paid carer's leave.

A range of arrangements to allow workers flexibility in providing for their caring responsibilities were also available. Employees' right to request flexible hours (with the employer able to refuse on reasonable business grounds) is guaranteed in the *Fair Work Act 2009*. The 'right to request' a change in working arrangements to assist with a child's care applies to employees who are parents or carers of a child under school age, or of a child under 18 with a disability. Somewhat less comprehensive entitlements had existed before the *Fair Work Act 2009*. The 2009 Australian Work and Life Index (AWALI) survey found that almost one-half of mothers of preschoolers made requests to change their work arrangements. Overall AWALI found that over two-thirds of requests were fully met.

### **The Paid Parental Leave scheme and the evaluation**

On 17 June 2010, legislation introducing the Paid Parental Leave (PPL) scheme passed the Australian Parliament. With minor changes, the legislated scheme closely followed a scheme recommended by the Productivity Commission. The scheme came into effect from 1 January 2011, with pre-birth claims being accepted from 1 October 2010.

The Australian Government seeks to achieve three main objectives in introducing the scheme:

- to enhance the health of babies and mothers, and the development of children, by enabling working mothers to spend longer at home with their newborn children
- to facilitate women's labour force participation
- to encourage gender equity and improve the balance of family and work life in Australian families.

Around 52 per cent of women who give birth are expected to be eligible for PPL. This equates to an expected 85 per cent of working women being eligible, with 85 per cent of those who are eligible actually taking the payment. In practice, it is expected that most claimants will be women.

At the time of the announcement of the PPL scheme, the government committed to undertaking an evaluation and review of the scheme. The evaluation is aimed at informing the government about the impacts of the scheme. The evaluation began in May 2010 and is expected to be completed by March 2014.

The evaluation of the PPL scheme will be undertaken against three types of outcomes:

*Immediate outcomes* consist of those related to families making use of the scheme (they are aware of it, make choices to suit their circumstances, apply for and receive payments).

*Intermediate outcomes* consist of the direct experiences of families receiving the PPL payment (they have financial support after the birth or adoption of their child or children, and working mothers are able to spend more time with their child or children).

*Ultimate outcomes* consist of the main policy objectives of the scheme (as outlined above).

The evaluation will proceed in four phases:

**Phase 1** (2010–11) will focus on establishing robust baseline data in all areas related to the intermediate and ultimate outcomes of the evaluation.

**Phase 2** (2011–12) will focus on evaluating the initial operation of the PPL scheme.

**Phase 3** (2012–13) will focus on evaluating the intermediate and, where possible, ultimate outcomes of the PPL scheme.

**Phase 4** (2014) will produce the Final Evaluation Report.

This report presents the main results of Phase 1 of the evaluation. The focus of this baseline phase has been on establishing an accurate picture of key aspects of work and family life before the introduction of PPL. This report focuses on answering five key questions. These are:

What is the current state of arrangements or supports (nationally) that enable working parents to take leave to care for children?

What is the current pattern of parental leave (paid and unpaid) access and uptake? What are the attitudes and factors affecting current decisions in relation to taking parental leave?

What are the current patterns of women's workforce participation, including pre-birth and returning to work after taking parental leave? What are the current patterns for those who do not have access to leave? What factors affect return-to-work patterns?

What do current measures of the health and welfare of mothers and infants indicate?

What is the current state of 'gender equity' and 'work-life' balance? How are these affected by parenthood and parental leave taking?

### **Coverage and access to leave before PPL scheme**

Some forms of leave arrangement were virtually universal before the introduction of the PPL scheme. For example, unpaid carer's leave was available to all employees. However, the coverage of more significant forms of leave, particularly types of paid leave, varied considerably. Baseline data collected for the evaluation showed the following:

- ▶ Around three-quarters of women who were working before the birth of their child were eligible for statutory unpaid leave from their employer (based on their employment history before the birth).
- ▶ Just over half of women who were working before the birth of their child were eligible for some paid maternity leave from their employer.
- ▶ Fathers were much less likely than mothers to have access to unpaid leave (31 per cent had such access according to mothers' reports). Fathers were also less likely than mothers to have access to paid leave (29 per cent had such access according to mothers' reports).
- ▶ Approximately half of the women who were working before the birth of their child had access to employer-paid maternity leave, this varied depending on:
  - the size of the organisation, where women in larger size organisations were much more likely to have access, and
  - the type of contract, where women on permanent or ongoing contracts were much more likely to have access.
- ▶ The introduction of the government PPL scheme is likely to extend coverage of paid parental leave (either through PPL or employer-provided paid leave) from 51 per cent of working women to 95 per cent.

The baseline survey also revealed the following:

- ▶ Approximately 5 per cent of women who would be eligible for the government PPL scheme would not be eligible for unpaid leave from their employer. (This proportion was 12 per cent for single mothers).
- ▶ Qualitative interviews showed that some women, who were in a position to do so, changed employers to improve their access to leave and flexible work arrangements before the birth of their baby.

### **Uptake of leave before PPL scheme**

The baseline survey generated up-to-date data on the usage of leave entitlements by mothers and their partners. It showed the following:

- ▶ Two-thirds of women used more than one type of leave after the birth of their child. The average number of different leave types taken was 2.7.
- ▶ The overwhelming majority (95 per cent) of women who had access to employer-paid maternity leave took it at the time of birth.
- ▶ For fathers who had access to employer-paid paternity leave, 92 per cent used it after birth.
- ▶ The uptake of unpaid leave was less universal:
  - 81 per cent of mothers used unpaid maternity leave provisions.
  - 45 per cent of fathers used unpaid paternity leave provisions.
- ▶ The most commonly available, and used, form of other paid leave (that is, not parental leave) after birth was holiday or annual leave, which was used by 73 per cent of mothers.

In-depth interviews with mothers showed the following:

- ▶ Women took as much paid leave as they possibly could after childbirth, regardless of education, professional or occupational status, income, or attitudes.
- ▶ Most women who had returned to work at the time of interview would have taken longer had this been financially possible.

### **Return to work**

A central concern of the evaluation is mothers' decisions about whether to return to work, the return-to-work patterns of those who do return to work, and the factors that affect these patterns. Review of existing data and analysis of baseline data collected for the evaluation showed the following:

- ▶ Some 71 per cent of mothers who gave birth in late 2009 had returned to work by the time their baby was 13 months old, and that:
  - the average age of babies when these mothers returned to work was 6.7 months
  - three-quarters of mothers returned to work in the same job
  - most mothers who returned to work in a different job were seeking a job with shorter or more flexible working hours (70 per cent).

The main reasons mothers did not return to work were that they wanted to look after the child themselves (89 per cent), and that their partner earned enough money to support the family (71 per cent).

Women with a higher socioeconomic position and stronger connections with employers (for example, through having permanent jobs before the birth) were more likely to have returned to work by the time their babies were 13 months old. Thus:

- ▶ Only 56 per cent of women with casual employment contracts had returned to work by the time their child was 13 months old, compared to 71 per cent of women with permanent or ongoing contracts.
- ▶ Women working 20 hours a week or more before the birth were more likely to have returned to work by the time their baby was 13 months old than women working less than 20 hours per week.
- ▶ Three-quarters of women in managerial or professional occupations before the birth had returned to work by the time their baby was 13 months old, compared to about two-thirds of those in other occupations.

- ▶ Women with university degrees were much more likely to have returned to the workforce by the time their baby was 13 months old compared to women with lower levels of education.
- ▶ Women who had been self-employed before the birth were most likely to return to work, and did so when their babies were younger than any other groups. Thus:
  - 85 per cent of women who were self-employed had returned to work by the time their child was 13 months old
  - On average, their babies were 2.9 months old when the women returned to work.
- ▶ Women who had experienced problems in their job while pregnant were less likely to have returned to work by the time their baby was 13 months old, but positive experiences with employers while pregnant did not appear to affect return-to-work patterns.
- ▶ Concerns over financial pressures in the household were a key factor in women's return to work, with 59 per cent of mothers either agreeing or strongly agreeing with the statement that they returned to work earlier than they would have liked because 'I/we needed the money'.
- ▶ Single mothers were less likely to return to work than other mothers. However, when single mothers did return to work, they did so when their babies were younger than average (5.9 months compared to about 6.7 months for other mothers).

## Health and wellbeing

- ▶ Almost all Australian mothers (94 per cent) now breastfeed their babies for some period:
  - The average duration of breastfeeding is 24 weeks—close to the WHO-recommended six months.
  - Mothers who had worked before the birth of their babies breastfed for slightly longer if they took paid leave than if they did not (25.0 weeks compared to 22.3 weeks).
  - Mothers who took longer leave before returning to work breastfed for longer.
- ▶ Breastfeeding duration is related to a range of factors, including:
  - the culture of the workplace when mothers return to work
  - relationship stress or dissolution and postnatal depression
  - cultural norms and expectations.
- ▶ Some 90 per cent of mothers reported that their babies' immunisations were up to date at 13 months:
  - Immunisations were slightly less likely to be up to date if mothers returned to work at less than three months (around 83 per cent were up to date).
- ▶ Nearly half of mothers (42 per cent) reported that their babies had experienced an illness of one week or more by the age of 13 months.
- ▶ The relationship between babies' health and when mothers return to work is complex since the age of their babies when mothers return to work may affect the baby's likelihood of becoming ill; but a child's general health may also affect a mother's decision about when to return to work. Overall:
  - Mothers who returned to work when their babies were less than one month old were somewhat less likely to report one-week illnesses than other mothers (30 per cent did so).
- ▶ On a range of indicators of mothers' health, there is little consistent evidence that leave uptake, leave duration or when a mother returns to work is associated with her health.

### **Gender equity in the household**

- ▶ On average, women do three-quarters of the total domestic labour in households.
- ▶ Mothers who had not returned to work by the time their baby was 13 months old did about 80 per cent of total housework, compared to about 70 per cent for those who had returned to work.
- ▶ Among mothers who have returned to work, there is no strong relationship between when they return to work and the proportion of housework they do.

# Part I – Background and context

## 1 Introduction

From 1 January 2011, Australian families in which a mother was in the paid workforce before the birth or adoption of a baby may be eligible for a new Australian Government-funded Paid Parental Leave (PPL)<sup>2</sup> scheme. The scheme provides eligible parents with up to 18 weeks of Parental Leave Pay (PLP) paid at the National Minimum Wage, following the birth of a child. The PPL scheme brings Australia into line with all other OECD countries, except the United States, in having a national scheme for paid leave available to mothers following childbirth.

In May 2010, the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) commissioned the Institute for Social Science Research at the University of Queensland to undertake a comprehensive evaluation of the PPL scheme following its commencement. The evaluation will assess the outcomes of the scheme, including progress towards the three main policy objectives. It will also evaluate operational aspects of the scheme. The first phase of the evaluation has involved the establishment of robust baseline data in relation to the policy aims of the PPL scheme. This report provides the main findings of this first phase of the evaluation.

The report begins with a description of the context into which the PPL scheme has been introduced, focusing on the current characteristics of Australian families and the pattern of leave provisions that preceded the introduction of the PPL scheme. It then profiles Australian families on characteristics relevant to the main policy aims of the scheme. The methodologies used are described in Appendix A.

### 1.1 Australian families

In the past few decades of the 20th century major changes occurred in work and family life in Australia. Women entered the workforce at unprecedented rates; this change was particularly marked for wives and mothers, who increasingly added paid work to their family responsibilities (Baxter 2002). Men's average employment hours and real wages declined (van Wanrooy et al. 2007). Households came to depend on women's earnings as well as on men's, and the dual-earner household became a normative family form. Concurrently, rates of marriage declined (de Vaus 2004); the number of couples divorcing increased (Hewitt et al. 2006); the number of couples living together before, or instead of, marriage rose dramatically (de Vaus 2004); young women's educational attainment outstripped young men's (Craig et al. 2010); women delayed child bearing and couples had smaller families (McDonald 2000). This context of changing family patterns frames the current characteristics of Australian families.

There were 295,700 births registered in Australia in 2009, approximately 900 (0.3 per cent) fewer than the number registered in 2008 (296,600) (ABS 2010). This reflected a total fertility rate<sup>3</sup> of 1.90 babies per woman, down slightly from the 2008 total fertility rate of 1.96, though higher than the low point of 1.73 in 2001. The median age of all mothers for births registered in 2009 was 30.6 years, while the median age of fathers was 33.0 years, both slightly younger than in recent previous years (ABS 2010).

About 45 per cent of Australian births are first births. The most recently available data, from the Baseline Mothers Survey (BaMS) undertaken for this evaluation, shows that 49 per cent of births in the sample were to mothers who had no child in their household before the birth of the study child, whereas 35 per cent had one child and 16 per cent had more than two children. Most births are still to mothers who are in a registered marriage (nuptial births). ABS data show that 65 per cent of births in 2009 were nuptial births. Many of the remaining 35 per cent of births were to mothers in de facto relationships.

A general trend towards increasing labour force participation among Australian women and mothers is well known. Despite some slight ups and downs, the labour force participation rate of women has been increasing over the past two decades, reaching 59 per cent in February 2011. The increasing tendency of mothers to be in

the paid workforce has been a key factor in the overall rise in women's labour force participation. According to Census data, between 1996 and 2006 the participation rate of mothers with children aged 0 to 14 years rose from 59 per cent to 64 per cent. The rise was particularly pronounced among lone mothers, with the proportion in the labour force rising from 50 per cent to 59 per cent between 1996 and 2006 (ABS 2008a). Indeed, ABS data show that, in February 2011, 63 per cent of the 726,200 Australian families with one child under 15 had both parents in the workforce (ABS 2011).

Many Australian mothers work part time. In 2006, 59 per cent of employed mothers with children aged 0 to 14 years worked part time, compared to 45 per cent of all employed women. Mothers' participation in paid work also varied according to the age of their youngest child. In 2006, the participation rate among mothers with children aged 0 to 4 years was lower (52 per cent) than those whose youngest child was aged 5 to 9 years (71 per cent) and 10 to 14 years (77 per cent).

Mothers having their first child are much more likely to have been in paid employment before the birth of their child than mothers having a second or subsequent child. Data from BaMS indicates that 85 per cent of mothers who gave birth to their first child in late 2009 were in paid employment before the birth. This compared to 62 per cent of mothers who had one child before the birth in paid employment and 45 per cent of those who had two or more children before the birth.

While mothers are more likely to work part time than full time, there has been a consistent increase during the period from 1980 to 2009 (from 17 per cent in 1983 to 25 per cent in 2009) in the proportion of couple parents who both have full-time work (Hayes et al. 2010).

In general, lone mothers are somewhat less likely to be working than those in couple families. In February 2011, the ABS estimated that 56 per cent of the 227,100 single mothers with one child under 15 were employed. This compared to 63 per cent of equivalent mothers in couple families (ABS 2011). Single mothers remain slightly more likely to work full time than part time, although this tendency has decreased substantially over time. Thus, in 1983, 20 per cent of lone mothers worked full time and 12 per cent worked part time, whereas by 2009 the proportion in part-time work (25 per cent) had almost reached that in full-time work (27 per cent).

Women with higher levels of educational qualifications tend to have fewer children than those with lower education levels. In 2006, women aged 40 to 44 years with a Bachelor degree or higher qualification had an average of 1.7 children, while those with no tertiary qualifications had an average of 2.2 children each. The differential between qualification levels is most pronounced at younger ages. Among women aged 25 to 29 years in 2006, the average number of children ever born to those without tertiary qualifications was almost five times that of women with a Bachelor degree or higher qualification (1.04 and 0.22 respectively) (ABS 2008a).

On average, lone-parent households have significantly lower incomes than other households. For example, the most recent available statistics (2007–08) show that the mean equivalised disposable household income in lone-parent households was \$520 per week. This compared with an equivalent mean income of \$871 per week for households composed of couples with dependent children (ABS 2008).

## 1.2 The PPL scheme and Australian families—key target groups

The PPL scheme is designed to improve the support available to Australian families with infants where the primary carer takes time out of the labour force to care for a newborn. The scheme aims to provide assistance to a broad range of Australian families where the primary carer (who will usually be the child's mother) has been working in a paid job for at least 10 of the 13 months before the child's birth. Its work test effectively requires that claimants have worked at least one day per week during the 13 months before the birth, a requirement that was designed to be generous. Claimants must also meet residency requirements. The scheme excludes a small number of families where the primary carer has a very high income. Even with these restrictions, it was anticipated that around 55 per cent of new parents would be eligible for PPL. The major factor excluding some families is simply that the primary carer did not meet the work requirements for the scheme in the 13 months before the birth of the relevant child.



As described in detail below, the PPL scheme was introduced into an environment where many employers already provided paid maternity leave and, sometimes, other forms of paid leave for new parents. However, not all workers were equally eligible for such forms of leave, and the evaluation will assess the impact of the PPL scheme on certain ‘special interest’ groups. These groups are known to have been particularly poorly covered by existing employer-provided parental benefits. The key groups are:

*Workers employed on casual contracts.* Few employer-provided paid maternity leave arrangements provide coverage for employees on casual contracts. Casual employees typically have significantly lower incomes than those employed permanently, and are therefore more vulnerable financially to any loss of income. Employers have no obligation to continue to employ casual workers. As a result, when they take time out of the labour force to care for young children, their connection to the world of paid work through employers is more tenuous than that of other workers. The PPL scheme makes no distinction among applicants on the basis of employment contract. It is therefore available to casual employees on the same basis as other workers, so long as they meet the eligibility conditions (particularly the work hours and income test).

*Self-employed workers.* For many self-employed workers, their own participation in their business is a key source of income. For this reason, they are particularly vulnerable to financial stress when they take time out of paid work. Few are able to make substantial financial provisions to cover their period out of the labour force. Because the PPL scheme makes no distinction among applicants on the basis of employment contract, it is available to self-employed workers who meet the eligibility conditions (particularly the work hours and income test).

*Lone parents.* Lone parents ‘are considered to be at a higher risk of disadvantage, for example, in income, housing, employment and social participation’ (ABS 2007). Compared to partnered mothers, single mothers have lower formal education, are less likely to be in the labour force but more likely to be unemployed, more likely to be in casual jobs, and work fewer hours. The PPL scheme will provide a new avenue of support for these parents, allowing them to take time away from work to look after their newborns.

*Culturally and linguistically diverse parents.* Culturally and linguistically diverse (CALD) parents face a range of challenges in the workplace. An important possible outcome of PPL would be supporting these parents, so that they are able to take time away from work when necessary, but also to return to work when they wish to do so.

*Indigenous parents.* Indigenous parents face a range of substantial challenges, including in the workplace. An important possible outcome of PPL would be supporting these parents, so that they are able to take time away from work when necessary, but also to return to work when they wish to do so.

Because of the particular policy interest of these groups, we examined their experiences and behaviour in a range of ways in collecting and assembling baseline data. Where the experiences or behaviour of these groups differ from those of other mothers and families, we report the differences in this report.

## 2 Arrangements and supports

It is essential for an evaluation of the PPL scheme to be able to place the scheme precisely in the context of other relevant provisions. This chapter describes the main arrangements or supports available to working parents to take leave to care for their children. The chapter covers unpaid and paid parental leave arrangements, along with the right to request flexible hours. Although the focus is largely on arrangements and supports that are explicitly aimed at assisting working parents, we also consider the use of annual leave.

The chapter uses information from a range of sources. As well as providing a summary of existing legislative provisions, it refers to available data on company and award parental leave arrangements, along with information from the Baseline Mothers Survey (BaMS) conducted for the evaluation.

### 2.1 Unpaid parental leave

#### Background

An entitlement to 52 weeks unpaid maternity leave that extended to private-sector employees was first established in the federal industrial relations system in 1979, in a test case brought before the Australian Conciliation and Arbitration Commission by the Australian Council of Trade Unions (ACTU). The entitlement was available to female full-time and part-time permanent employees with at least 12 months continuous employment before the birth. The decision also provided the right to return to work after taking leave and proscribed termination of employment on the grounds of pregnancy or absence on maternity leave.

Subsequent test cases extended the entitlement to include unpaid adoption leave in 1985 and ‘parental leave’ (inclusive of ‘maternity’, ‘paternity’ and ‘adoption’ leave) in 1990. The parental leave decision allowed parents to share the 52-week entitlement, depending on who took the role of the child’s ‘primary carer’. This formed the basis for the provision included in the *Industrial Relations Reform Act* (operative from 1994), which provided a legislated entitlement to unpaid parental leave for the first time in Australia. The entitlement was available to permanent employees who had worked for the same employer for the 12 months before the birth of the child, and was carried over into the *Workplace Relations Act 1996*. An Australian Industrial Relations Commission (AIRC) test case in 2001 extended the entitlement to ‘eligible’ casuals who had worked for an employer on a regular and systematic basis for periods of employment over at least 12 months and who had a reasonable expectation of ongoing employment—a decision that was subsequently taken up in some state jurisdictions. The entitlement thus became available to eligible casuals who were covered by relevant industrial instruments in the jurisdictions in which the decision was implemented. The Work Choices amendments in 2005 subsequently extended the entitlement to unpaid parental leave to all such casuals, and this has continued on broadly the same terms under the *Fair Work Act 2009 (FWA)*. Other extensions to unpaid leave entitlements which arose from the Family Provisions Test Case heard by the AIRC in 2005 (the right to request extension of unpaid leave to 24 months and up to eight weeks of simultaneous unpaid leave for parents at the time of the birth) were not taken up in the Work Choices amendments. However, as noted in the following sections, some aspects of the Family Provisions Test Case decision were subsequently taken up under Fair Work Australia (FWA).

#### Current provisions

Current arrangements under the *FWA 2009* provide that both parents have the right to separate periods of up to 12 months of unpaid leave associated with the birth or adoption of a child under 16 years of age, although this leave can begin up to six weeks before the expected date of birth or adoption.

Each parent in a ‘parent couple’ has an entitlement to 12 months of unpaid leave (provided he or she meets the eligibility criteria), thus potentially providing up to 24 months’ leave per ‘parent couple’. Unpaid leave must be taken in a single continuous period and cannot be taken simultaneously by parents except for up to three weeks of ‘concurrent’ leave at the time of the birth. Eligible employees taking unpaid parental leave have a guaranteed right to return to the position they held before taking leave, or to a similar position.

Where families prefer one parent to take a longer period of leave, that parent can request up to an additional 12 months of leave from their employer, allowing parents to sequence their separate periods of leave. An employer can only refuse these requests on reasonable business grounds.

Although there is no automatic right under the *FWA 2009* for an employee to appeal an employer's refusal on reasonable business grounds, FWA or another third party may deal with a dispute over a refusal on reasonable business grounds where this is agreed between the parties through an enterprise agreement, contract of employment or other written agreements.

Eligible employees are permanent full-time and part-time employees who have completed 12 months' continuous service with their employer immediately before the date (or expected date) of the birth or adoption of a child. Long-term casual employees who have been engaged on a regular and systematic basis for at least 12 months immediately before the date (or expected date) of birth or adoption, and who have a reasonable expectation of continuing regular and systematic employment, are also eligible.

## 2.2 Paid parental (maternity, paternity) leave

### Background

Paid parental leave was first legislated in Australia for federal public servants in 1973, with a provision for 52 weeks' maternity leave of which 12 weeks were to be paid, and a limited provision for paid paternity leave (which was removed in 1978). Paid maternity leave was subsequently introduced for public service employees by most state governments, although in several cases initially for shorter periods than 12 weeks. The 1973 provisions acted as 'pace setters' for the private sector to some extent (for example, the 52-week total unpaid leave period was adopted in subsequent test cases), but there was little initiative on paid leave provisions in the private sector at least until the 2000s when the proportion of private companies with arrangements in place began to expand.

### Current provisions

By 2009, all states provided 14 weeks of paid maternity leave for the majority of their employees. One week of paid paternity leave was provided by four states. Federal public servants remain entitled to only 12 weeks by statute, but many are eligible for 14 weeks under their enterprise agreements (Baird et al. 2009).

Provisions under industrial agreements and company policies have proved difficult to document. Among the sample of federal and state registered collective agreements in operation at 1 January 2008 examined by Baird et al. (2009), the most common periods of paid maternity leave were 3 to 6 weeks, 7 to 12 weeks and 13 to 14 weeks, with the last being the most common. The most common period for paid paternity leave was one week, followed by two weeks. The wording of clauses examined in this study varied substantially. A typical clause granting 4 to 12 weeks of paid maternity leave from a private-sector agreement read as follows:

#### 6.7.3 Paid Maternity Leave

This clause applies to maternity leave only, all paternity leave is unpaid.

Employees will be entitled to the following paid maternity leave as part of their maternity leave entitlement in accordance with the above clause to a combined maximum of 52 weeks.

1 to 3 years of service four weeks paid maternity leave

3 to 5 years of service eight weeks paid maternity leave

5+ years of service 12 weeks paid maternity leave

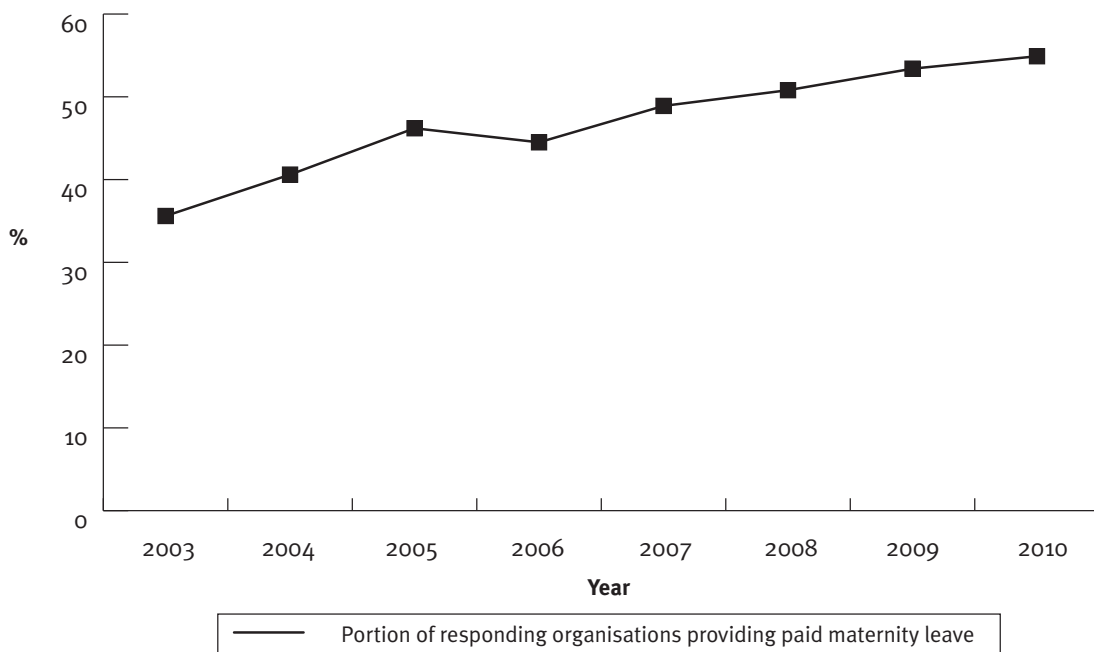
Paid maternity leave will not break continuity of service and will count as service for all purposes. The employee has the option to have the payment as a lump sum at the commencement of leave or through a normal weekly payroll.

Details on the prevalence of provisions drawn from this study (Baird et al. 2009) are included below.

*Company provisions*

Surveys conducted by the Equal Opportunity for Women in the Workplace Agency (EOWA) collect information from large organisations (private sector and educational institutions with 100+ employees) and track the prevalence of paid parental leave provisions including information on duration and distribution by industry and organisational size. According to EOWA survey data, the proportion of responding organisations providing paid maternity leave has increased from 35.6 per cent in 2003 to 53.4 per cent in 2009 (EOWA 2010). Results from EOWA’s 2010 survey had not been released at the time of finalising this report, but the unpublished data show that 54 per cent of reporting organisations provided paid maternity leave in 2010.<sup>4</sup> These estimates are limited by the nature of the sample (large organisations) and the inability to determine whether entitlements are uniformly available within the organisation or limited to employees with particular tenure or job characteristics. The figures clearly overestimate the prevalence of provisions across businesses as a whole; the incidence is likely to be considerably lower among small to medium businesses, and potentially lower also among non-respondent large organisations.

**Figure 1: Provision of paid maternity leave in EOWA reporting organisations**



Source: EOWA 2010 (p.23)

Data for 2010 from EOWA’s as yet unpublished report show that just 21.2 per cent of surveyed organisations reporting to EOWA that provide paid maternity leave extend it to casual employees. Ongoing variation across industry sectors was also apparent: industries with the lowest provision of paid maternity leave among EOWA reporting organisations are accommodation and food services (21.7 per cent), retail trade (28 per cent), and agriculture, forestry and fishing (29.2 per cent). Those with the highest provision of paid maternity leave are electricity, gas, waste and water services (93.5 per cent), education and training (88.8 per cent), public administration and safety (77.8 per cent), financial and insurance services (77.3 per cent), and healthcare and social assistance (76.6 per cent).

The average duration of employer-paid parental leave among EOWA respondents in 2010 was 9.7 weeks (23.5 per cent of the organisations that provide paid maternity leave offer six weeks; 23.2 per cent offer 12 weeks, and 14.3 per cent offer 14 weeks).

Data on paid paternity leave was not collected in 2010. The latest EOWA data on paid paternity leave in reporting organisations is for 2009, when 39.9 per cent of reporting organisations provided paid paternity or secondary carer’s leave to male employees at an average of 7.4 days.

### *Coverage through industrial instruments*

The main sources of data on industrial agreements are (i) the Workplace Agreements Database (WAD) maintained by the Workplace Relations Policy Group of the Department of Education, Employment and Workplace Relations (DEEWR) and (ii) the University of Sydney Workplace Research Centre's (WRC) agreement data base.

WAD includes all known federal Enterprise Agreements (EAs) as at 2009. The total number was 22,326 agreements. (The 2010 database is not yet available.) WAD provides an estimate of the employees covered by enterprise agreements.<sup>5</sup> The WRC agreement database is a sample of federal and state agreements. The total number in the analysis was 1865 agreements. There is some overlap between WAD and WRC, although WAD is by far the more comprehensive dataset. EOWA data differs from WAD and WRC in being based on organisations as the unit of analysis, rather than agreements. It is collected from reporting organisations with 100 or more employees in the private sector. Some 2589 organisations reported in 2010. Many organisations in EOWA will have employees covered by agreements included in WAD and WRC.

As an example of the kind of information that can be drawn from the WRC database, Baird et al.'s (2009) examination of a sample of federal and state registered collective agreements in operation at 1 January 2008 (n= 1865) showed that 22 per cent of all agreements in the sample included a paid maternity leave clause. Coverage varied by sector: only 16 per cent of private-sector agreements included such a clause, compared with 59 per cent of public-sector agreements and 55 per cent of non-profit organisations' agreements. Just 13 per cent of private-sector agreements had paid paternity leave clauses (compared with 20 per cent of public-sector and 42 per cent of non-profit organisations' agreements). Prevalence also varied by industry, with less than 2 per cent of agreements in the hospitality and retail trade providing for paid maternity leave.

There are, however, a number of problems with the WRC database. First it is a sample, rather than a complete set, of state and federal enterprise agreements. In addition, precise information about the number of employees covered by the agreements is not available. Furthermore, the WRC has stopped collecting agreements and so the data available are no longer current.

The WAD is more comprehensive in providing information on all known federal enterprise agreements that have operated since the introduction of the Enterprise Bargaining Principle in October 1991 and that have been provided to DEEWR. There are limitations with this data given that industrial agreements do not typically state how many male and female employees are covered by the agreement. Nevertheless, data from WAD has potential to extend previous work on the prevalence of parental leave measures in industrial agreements conducted by Baird, Frino & Williamson (2009), Baird, Brennan & Cutcher (2002) and Whitehouse (2001). This suggests that, while the incidence and duration of paid parental leave is increasing, diffusion through the private sector remains slow, and there are marked differences between sectors and in the provision of paid maternity and paid paternity leave.

According to WAD, as at the end of 2009, an estimated 13.45 per cent of enterprise agreements current at the time included a paid maternity (or primary carer) leave clause—this amounted to approximately 3003 agreements. The average duration of leave provided was 9.5 weeks, but ranged from 0.2 to 26 weeks.

Notable differences between WAD and the EOWA survey data include: (i) while 55 per cent of EOWA respondents provided paid parental leave, the proportion of enterprise agreements with paid parental leave clauses was 13.5 per cent; (ii) the average duration of paid parental leave policies in the EOWA survey was 9.7 weeks, while the average duration in enterprise agreements was 11.8 weeks. These contrasts reflect the very different units of analysis in the two data sets (enterprise agreements and large organisations), evident also in the number of units in each database (2599 organisations in the EOWA survey and 22,325 agreements in WAD). Differing results across these sources may also reflect the previously noted overestimation of prevalence in the EOWA data due to its reliance on information from large organisations, and the fact that enterprise agreements may not necessarily codify leave provisions that are aspects of company policy.

## 2.3 Carer's leave

### Background and current provisions

In the 1995–96 federal Personal/Carer's Leave Test Case decision, the AIRC decided that permanent employees could use up to five days annually from their accumulated entitlement to paid sick leave as carer's leave, extended to 10 days by the 2005 federal Family Provisions Test Case. This subsequently became a statutory entitlement under Work Choices in 2006. The current entitlement to carer's leave includes paid and unpaid carer's leave. Paid leave is available to non-casual employees. Under the National Employment Standards in the *FWA 2009*, such employees are entitled to 10 days of paid personal/carer's leave for each year of service with their employer. Leave accrues progressively during a year of service pro rata to ordinary hours of work and any unused portion accumulates from year to year. The amount which may be taken within the accumulated entitlement is now unlimited.

Unpaid carer's leave is available to permanent and casual employees. It amounts to two days of unpaid leave for each occasion when a member of the employee's immediate family or household requires care or support because of illness or an emergency. Permanent employees are ineligible for this if they can instead take paid carer's leave.

### Coverage/access

The ABS *Australian Social Trends Survey* (cat no. 4102.0) released in September 2009 (ABS 2009a) included a module on 'Work, life and family balance' that used figures from the 2007 *Survey of Employment Arrangements, Retirement and Superannuation* (ABS 2009d) to examine arrangements that assisted working parents, including paid carer's leave. The data showed that both parents had access to paid carer's leave in around one-third of two-parent working families in 2007, while neither had access in 12 per cent of such families. Where only one parent had this entitlement, it was more likely to be the father. Of parents in lone-parent working families 42 per cent took the paid carer's leave available to them.

Information about access in small and medium enterprises (SMEs) is contained in the 2006 *Better Conditions, Better Business* survey commissioned by the Australian Government's Office for Women from SensisR Business Index<sup>6</sup> (Australian Government, Office for Women 2007). It added a number of questions to its quarterly review of 1800 SMEs relating to family-friendly provisions for employees. Carer's leave for child care was found to be available in 42 per cent of SMEs, with 22 per cent having employees who had used it in the preceding 12 months. Unpaid emergency leave to casuals was provided by 51 per cent of SMEs, with 25 per cent experiencing its usage over the same period. Of SMEs offering this provision, 14 per cent reported that it was contained in awards, with 66 per cent saying it was provided informally. The survey was undertaken just before the implementation for the first time of a statutory right (in Work Choices) to paid (and unpaid) carer's leave for permanent employees and presumably reflects this fact.

One of the main gaps in the coverage of paid carer's leave is that it does not extend to casual employees, who account for just over one-quarter of the female workforce (ABS *Working Time Arrangements Survey*, 2010c). Neither does it extend to independent contractors. Among those who do have access, employees who have used all their personal leave for their own sickness will have none available for their child's and vice versa. In addition, carer's leave is an entitlement that has to be accrued over time, and accumulated entitlements cannot (usually)<sup>7</sup> be cashed out at the end of employment and 'taken' into a new job.

## 2.4 Right to request flexible hours

### Background

While the issue of returning to work part time after parental leave was first addressed in the federal industrial tribunal in the Parental Leave test case in 1990, the right for parents to request flexible hours (with the employer able to refuse on reasonable business grounds) was first granted in Australia in the 2005 Family Provisions Test Case decision delivered by the Australian Industrial Relations Commission. This decision included the right to request part-time work following a period of parental leave and while a child was under school age. The decision

was overtaken by changes to federal industrial relations legislation and only limited implementation occurred in the federal jurisdiction at the time (Williamson & Baird 2007), although some states adopted the measure. In January 2010, the right to request flexible working arrangements became an entitlement for Australian employees as a National Employment Standard in *FWA 2009*.

### **Current provisions**

The *FWA 2009* provision enables employees who are parents or carers of a child under school age, or of a child under 18 with a disability, to request a change in working arrangements to assist with the child's care. Employers may refuse requests only on reasonable business grounds (although there is no automatic right under the *FWA* to an appeal mechanism to review refusals). The entitlement is an important adjunct to parental leave, with clear ramifications for parents' decisions about whether and when to return to paid employment.

### **Coverage/access**

While data on access and usage are not yet available<sup>8</sup> some survey data collected before the implementation of the statutory right under the *FWA 2009* have provided estimates of the frequency of requests for changes in work arrangements and the likelihood that requests will be successful. The third Australian Work and Life Index (AWALI) survey, conducted in March 2009, showed that:

- ▶ Over one-fifth of Australian employees requested a change in work arrangements for longer than one month (29 per cent of women and 16 per cent of men).
- ▶ Almost one-half of mothers of preschoolers made requests (compared with around one-third of mothers of children under 16 years and one-quarter of women without children).
- ▶ Over two-thirds of requests were fully met, with refusal rates significantly lower for parents than non-parents and for women than men, while permanent employees were more likely to have their request granted than casuals.
- ▶ Having a request fully granted was associated with lower levels of 'work-life interference' (Pocock, Skinner & Ichii 2009).

The scope of access to the new flexible working provisions can also be compared broadly with that in other countries with similar provisions through examination of eligibility criteria. Wider eligibility of a similar, largely unenforceable, right to seek flexible work arrangements is available in the United Kingdom and New Zealand. In both countries all parental carers are covered (except those of children aged over 17 in the United Kingdom). The United Kingdom also covers carers of adults where the caregiver and care recipient are in a family or household type relationship. In New Zealand anyone who 'has the care of any person' is covered. In the Netherlands and Germany, the right is available to all employees (other than those of small employers) rather than only to parents and carers and is enforceable subject to reasonable business requirements (Charlesworth & Campbell 2008). Although there is no automatic right under the *FWA 2009* to appeal an employer's decision based on reasonable business grounds, *FWA* or another third party may deal with a dispute over a refusal on reasonable business grounds where this is agreed between the parties through an enterprise agreement, contract of employment or other written agreements.

A series of surveys that have been carried out in recent years (up to 2007) in the United Kingdom to measure flexible working arrangements and work-life balance arrangements provide indications of useful baseline information that might be collected in Australia and that would also enable cross-national comparison. The most recent employee survey on these issues in the United Kingdom (Hooker et al. 2007, p. 41) outlined which employees were most likely to be working for what it termed 'high flexibility' employers (covering one-quarter of employees). 'High flexibility' employers were those whose employees gave them a score of seven or more out of 10 in response to questions about the availability of flexible working arrangements and employers' efforts to promote and consult over such measures. One-quarter of employees responding to the survey gave their employer a score within the 'high flexibility' range (for further details, see Hooker et al. 2007). Public-sector employees, younger workers, those in large workplaces, managers and supervisors, higher earners and those in banking insurance and finance were shown to be most likely to work for high flexibility employers.

An overview of these surveys as well as international rights (in particular the Dutch and German entitlements) was commissioned by the United Kingdom Equality and Human Rights Commission in order to assess the effectiveness of the right to request flexible working arrangements (Hegewisch 2009). Hegewisch found that the United Kingdom right to request policy appears to have opened up a range of flexible working arrangements, not just an option to work part time (although that is a frequent request). She concluded that the surveys show that there has been an increase in the use of flexible working arrangements, by both men and women, but there is no information or assessment about the extent of employer refusals of right to request entitlements and how refusals affect employees. Dutch evidence is that the majority of those who are refused their request change jobs. Overall, Hegewisch argued that the right does not appear to have enabled women to stay in the same job when they want to move from full-time employment to more flexible working arrangements.

There are also survey and reporting requirements under the *FWA 2009*. The General Manager of FWA must provide a report on:

- ▶ developments in agreement making
- ▶ the extent to which Individual Flexibility Arrangements (IFAs) under modern awards and enterprise agreements are being agreed to, the content of those arrangements, and the circumstances in which such requests are refused
- ▶ the operation of the provisions of the National Employment Standards (NES) relating to employee requests, including the circumstances in which employees make requests for flexible working arrangements and requests for extensions of unpaid parental leave.

In conducting the review and research, FWA must consider the effect of bargaining on wages and conditions of women, part-time workers, non-English-speaking background (NESB) employees, mature age, young employees and other persons prescribed by the regulations. The review is required to commence from 1 January 2012, and occur every three years from then on.

## 2.5 Annual leave

### Background

The 2005 Federal Family Provisions test case decision provided for increased flexibility in the use of annual leave—something that may be particularly useful for working parents. The changes included the availability of 10 days of an employee’s annual leave entitlement to be taken in single days. Annual leave could also be accumulated for up to two years. Under *Work Choices 2005*, the legislative entitlement allowed unlimited accumulation of leave and part days were available to take as leave.

### Current provisions

The National Employment Standards in *FWA 2009* continues the statutory provision for four weeks of annual leave (five weeks for shift workers). There is no limit on the amount that may be accumulated, or on the periods during which it may be taken. An employer must not unreasonably refuse an employee’s request to take annual leave. Employers may reasonably require an employee to take annual leave and cashing out is permissible subject to certain conditions, but in both cases such arrangements must be set out in modern awards and enterprise agreements (similar provisions apply to award- or agreement-free employees). Cashing out must not reduce an employee’s annual leave balance below four weeks.



### 3 The PPL scheme

In February 2008, the Australian Government asked the Productivity Commission to inquire into ‘strategies for improved support for parents with newborn children’. The Productivity Commission was asked to consider the ‘economic, productivity and social costs and benefits of providing paid maternity, paternity and parental leave’. It was given the task of identifying models that might be used in Australia to provide such leave, and to assess these models. In response, the Productivity Commission report, entitled *Paid Parental Leave: Support for Parents with Newborn Children*, proposed a scheme to provide paid parental leave. If implemented, this scheme would be the first national scheme of this kind in Australia’s history.

On 17 June 2010, legislation introducing such a scheme passed the Australian Parliament. The legislated scheme closely followed the Productivity Commission’s scheme, though there were some minor changes made. The scheme came into effect from 1 January 2011.

The Australian Government sought to achieve three main objectives in introducing the scheme:

- ▶ to enhance the health of babies and mothers, and the development of children, by enabling working mothers to spend longer at home with their newborn children
- ▶ to facilitate women’s labour force participation, and thus improve Australia’s productivity
- ▶ to encourage gender equity and improve the balance of family and work life in Australian families.

The key features of the PPL scheme are as follows:

- ▶ The scheme is fully government-funded, rather than requiring direct employer funding, or being financed through national insurance payments as in many European countries.
- ▶ Generally, the birth mother must first be eligible for the payment, and if her partner is eligible she may transfer some or all of the payment to her partner.<sup>9</sup>
- ▶ Parents are eligible if they:
  - are the primary caregivers of newborn or recently adopted children
  - worked for at least 10 of the 13 months (295 days in a 392-day period) before the expected date of birth or adoption
  - worked at least 330 hours in that 10-month period (around 7.6 hours per week on average), with no more than an eight-week (56 consecutive day) gap between two consecutive working days
  - have an individual adjusted taxable income of \$150,000 or less in the financial year before the birth, adoption or date of claim, whichever is earlier
  - have not worked from the time they become the child’s primary carer.
- ▶ PPL is paid at the National Minimum Wage for up to 18 weeks, and does not vary with the hours or earnings of the beneficiary before the birth.
- ▶ PPL will be paid through employers if a parent has worked for the employer for at least 12 months before the birth and is receiving at least eight weeks of payment. Otherwise it will be paid through the Family Assistance Office (FAO).<sup>10</sup>
- ▶ PPL can be taken at any time within the first 12 months of the child being born or entering the parent’s care.
- ▶ The PPL payment is taxable.
- ▶ Families may choose to take PPL or the Baby Bonus, but not both, except in the case of multiple births.
- ▶ Family Tax Benefit Part B and some tax offsets are not available while a parent is receiving the PPL payment.

In practice, these arrangements are expected to mean that 84 per cent of mothers who were in paid employment during the year before a child's birth will be eligible for PPL (Productivity Commission 2009: B.1 – B.2). It is also anticipated that most parents who receive PPL will be mothers.

### 3.1 The evaluation

At the time of the announcement of the PPL scheme, the government committed to undertaking an evaluation and review of the scheme. The evaluation is aimed at informing the government about the impacts of the scheme. It will provide evidence to form the basis of decisions that may be taken to amend any aspects of the scheme. A particular focus of the evaluation is whether there are indications that it will achieve its three main objectives (see above).

The evaluation will be used to inform a review which will commence in 2013. The *Paid Parental Leave Act 2010*, section 307A states that:

- ▶ The Minister must cause a comprehensive review of the general operation of this Act to be begun by 31 January 2013.
- ▶ The review must consider the following matters:
  - the amount of time off work that primary carers are taking to care for newborn or newly adopted children
  - the availability and amount of leave and payments provided by employers in relation to the birth or adoption of a child, and the interaction of those entitlements with parental leave pay provided under this Act
  - the operation of the work test
  - whether primary claimants' partners should be paid parental leave pay separately from, or in addition to, primary claimants
  - whether employers should make superannuation contributions in relation to parental leave pay
  - the results of any evaluations conducted in relation to the operation of this Act
  - the administration of this Act
  - any other matter relevant to the general operation of this Act.
- ▶ The evaluation will gather information to assist in the review of these issues.

The evaluation of the PPL scheme has been developed using the Program Logic for PPL, which specifies three types of outcomes for the PPL scheme:

*Immediate outcomes* consist of those related to families making use of the scheme (they are aware of it, make choices to suit their circumstances, apply for and receive payments).

*Intermediate outcomes* consist of the direct experiences of families receiving the PPL payment (they have financial support after the birth or adoption of their children, and working mothers are able to spend more time with their children).

*Ultimate outcomes* consist of the main policy objectives of the scheme (it results in greater workforce participation of mothers, improved maternal and infant health and development, more gender equity in the workplace and household, improved work–life balance, and improved social attitudes towards combining caring and work roles).

The evaluation will proceed in four phases, with the fourth phase being the production of the final report:

**Phase 1** (2010–11) will focus on establishing robust baseline data in all areas related to the intermediate and ultimate outcomes of the evaluation.

**Phase 2** (2011–12) will focus on evaluating the initial operation of the PPL scheme.

**Phase 3** (2012–13) will focus on evaluating the intermediate and, where possible, ultimate outcomes of the PPL scheme.

**Phase 4** (2014) will produce the Final Evaluation Report.

This report presents the main results of Phase 1 of the evaluation. The focus of this baseline phase has been on establishing an accurate picture of key aspects of work and family life before the introduction of PPL. Accurate, robust baseline data is essential to the evaluation because much of the evaluation of the scheme's ultimate outcomes depends on comparing parents' experiences and behaviour before the introduction of the scheme with their behaviour and experiences when it is in place.

This report focuses on answering five key questions. These are:

- ▶ What is the current state of arrangements or supports (nationally) that enable working parents to take leave to care for children?
- ▶ What is the current pattern of parental leave (paid and unpaid) access and uptake? What are the attitudes and factors affecting current decisions in relation to taking parental leave?
- ▶ What are the current patterns of women's workforce participation, including pre-birth and returning to work after taking parental leave? What are the current patterns for those who don't have access to leave? What factors affect return-to-work patterns?
- ▶ What do current measures of the health and welfare of mothers and infants indicate?
- ▶ What is the current state of 'gender equity' and 'work-life' balance? How are these affected by parenthood and parental leave taking?

The baseline phase of the evaluation began with a comprehensive review of data and literature already available to answer these five questions. This review built the best answers that could be constructed to these questions from existing literature and data. It also identified where further data needed to be collected to ensure that the baseline picture was adequate for the purposes of the evaluation. The result was that three main data collections were undertaken to permit the necessary baseline picture to be built. These were:

- ▶ *A Baseline Mothers Survey (BaMS)*. This phone survey was used to collect up-to-date information on key issues such as current patterns of leave access and uptake around childbirth, current patterns of women's workforce participation following the birth of a child, current measures of child and maternal health and wellbeing, and the current state of gender equity in the household and of work-family balance. The sample for the survey was drawn from recipients of the Baby Bonus for a baby born in October or November 2009. Participants were surveyed in late November and early December 2010, or in February 2011, and interviews covered their experiences up to 13 months after their baby's birth. The main survey covered mothers who would likely have been eligible for PPL had it been available at the time of their baby's birth, while a short form survey was used for ineligible mothers. Interviews were completed with 2587 mothers who would have been eligible for PPL, and 1860 who would not have been eligible.
- ▶ *Baseline interviews with mothers*. Baseline interviews with 109 mothers were conducted to allow a more in-depth understanding of patterns, and to allow a special focus on certain groups of special interest. These groups included Indigenous mothers, single mothers, and mothers who had held casual jobs or who were self-employed before the birth of the baby. Most non-Indigenous mothers were recruited from BaMS respondents, with a small group recruited through research networks and contacts. Indigenous mothers were recruited from participants in the Longitudinal Study of Indigenous Children (LSIC). All interviews were recorded and transcribed for analysis.
- ▶ Baseline employer interviews and analysis of employer submissions to the Senate Community Affairs Legislation Committee Inquiry on the Exposure Draft and Paid Parental Leave Bill 2010 ('the Senate Inquiry'). Interviews were conducted with 21 employers or employer representatives to gain insights into their plans and

expectations about the PPL scheme. Interviewees were recruited through researcher networks and with some assistance from FaHCSIA. All interviews were recorded and transcribed for analysis. Employer submissions to the Senate Inquiry, mostly from employer peak bodies or representatives, were subjected to systematic analysis as a key window on employer expectations and plans following the introduction of PPL.

In this report, the data collected for the evaluation is combined with results from existing literature and data to provide the best possible answers to the research questions guiding this phase of the project. The key aim of this report is to convey the large body of information that will be available to the evaluation team as a baseline picture for the evaluation.

## Part II—Baseline data

### 4 Coverage and access to leave

In Part I of this report we outlined the leave provisions that were available to mothers and fathers before the introduction of the government PPL scheme on 1 January 2011. In this section we examine the extent to which mothers and fathers were covered by these entitlements. We describe coverage and access to unpaid parental leave and employer-paid maternity and paternity leave provisions using survey data from Parental Leave in Australia Survey (PLAS) and BaMS. In relation to employer-paid leave provisions we also examine how these differ depending on the size of the organisation and the type of employment contract.

#### 4.1 Statutory entitlements to unpaid parental leave

Information on coverage of the unpaid leave entitlement and the proportion of parents (or the workforce) who meet the eligibility criteria, or who believe they have access to the entitlement, can be obtained from a number of sources, the most useful of which are listed below. (ABS surveys are not listed here because they generally collect information on paid rather than unpaid parental leave—they are thus discussed under the next heading ‘Paid parental leave’.)

- ▶ The *PLAS* enables estimates of eligibility for federal unpaid leave provisions through questions on labour force participation and status in the year preceding the birth of a child. There is scope within this survey to investigate eligibility differences by a wide range of factors such as parity of the child for which leave is sought, mothers’ relationship status and employment characteristics (for example, permanent or casual, sector of employment, earnings, occupation).
- ▶ The *Household Income and Labour Dynamics in Australia* (HILDA) survey asks respondents to complete a self-completion questionnaire to indicate whether they (or employees like them at the workplace) would be able to use specified forms of leave (including separate options for paid and unpaid maternity leave) if they needed to.
- ▶ The *Negotiating the Life Course* survey (NLC) collects similar information. It asks individual respondents about the availability of various forms of leave in their job, including ‘paid maternity or paternity’ and ‘unpaid maternity or paternity’ leave.

The information available from these sources is limited in various ways. None of the surveys enables reliable estimates of access among groups such as Indigenous or Culturally and Linguistically Diverse (CALD) parents and information on lone parents is also insufficient for detailed analysis. Apart from these limitations, PLAS provides reasonably reliable information about eligibility for unpaid parental leave among Australian parents of children born between March 2003 and February 2004 because it is a large sample of children (and thus, in effect, of parents), and because it collected specific information on parents’ employment status before the birth of the child. Our BaMS updates this information with a sample of mothers of children born in October or November 2009. One of the difficulties at the time of the PLAS was that the eligibility status of long-term casuals could not be identified in the absence of knowledge about jurisdictional/industrial coverage. The extension of the unpaid leave entitlement to all long-term casuals in 2005 removed that complexity.

The other surveys listed above face the difficulties of collecting information from respondents who may or may not be parents and may or may not know their entitlements (non-parents, in particular, may not be well informed about parental leave provisions). In addition, there may be confusion over whether to answer in terms of one’s own eligibility/requirements or general availability at the workplace. For these reasons, we do not use data from these surveys here. Nevertheless HILDA and NLC provide the capacity to track trends in perceptions of access to unpaid parental leave over time.

As an example of the baseline data on eligibility/access available from PLAS data, the following summary is drawn from the November 2006 report on the data (Whitehouse, Baird, Diamond & Hosking 2006) and subsequent analysis for the Productivity Commission Inquiry (Whitehouse, Baird & Charlesworth 2008a).

PLAS data show that 31 per cent of mothers and 4 per cent of fathers in the sample were not in the labour force before the birth.

Of those who were employed in the lead-up to the birth, 72 per cent of mothers and 65 per cent of fathers met the basic eligibility criterion for unpaid parental leave (12 months of continuous service with the same employer before the birth).

- ▶ Around 11 per cent of employed mothers and 20 per cent of employed fathers would not have been eligible because they were self-employed, and
- ▶ Around 17 per cent of employed mothers and 14 per cent of employed fathers would not have been eligible because they did not meet the '12 months with the same employer' criterion.

Actual eligibility levels would have been somewhat less than the 72 per cent of employed mothers and 65 per cent of employed fathers who met the basic '12 months with the same employer' criterion, given that:

- ▶ at least some of the 'long-term casuals' within these groups would not have been eligible at the time of the survey,<sup>11</sup> and
- ▶ some mothers who stated they had worked for the same employer for 12 months before the birth indicated in later questions that they had been dismissed from their job, made redundant or been on a fixed-term contract that finished before the birth.

PLAS also illustrates the considerable variation in eligibility status with personal and employment characteristics. Mothers were more likely to be eligible if this was their first birth (because they were more likely to be employed in that situation); they were older (over 36 years); English was their main language at home; they had a degree qualification or above; and they were in a couple relationship. Among mothers who were employees before the birth, the likelihood of eligibility status was higher for public-sector employees, permanent employees, full-time employees, employees in comparatively large organisations, high-salary earners, managers and union members.

In Table 1 we update these figures for 2010 using BaMS. In this table we include all mothers in our sample (drawn from Baby Bonus recipients), whether or not they would have been eligible for PPL had it existed.<sup>12</sup> We show differences between eligibility for, and access to, 12 months of statutory unpaid leave from employers, and putative eligibility for the government PPL scheme. First we examine eligibility. Eligibility for statutory unpaid leave was determined by a series of questions relating to mothers' employment and employment contract before birth. Overall, as shown in the total column, 55 per cent of the women in our sample were eligible for statutory unpaid leave and 12 per cent were working but not eligible. These figures are very similar to those for PLAS. Overall, BaMS indicates that around 82 per cent of women who were working before the birth were eligible for statutory unpaid leave. Many women who were working but not eligible for unpaid leave were casual or self-employed. A lot were also employed on permanent or on fixed contracts, but had not worked for the same employer for 12 months. We found that 33 per cent of women were not working and were not eligible for statutory leave. This figure is comparable with the 31 per cent identified in PLAS (noted above).

In relation to eligibility for PPL and unpaid leave, our data suggest that 95 per cent of women who were eligible for PPL also meet the eligibility requirements for statutory unpaid leave. Conversely, 5 per cent of the women in our sample were not eligible for statutory unpaid leave, but met the eligibility requirements for PPL; this group represents the gap between the policies, where it is possible to be eligible for PPL and not unpaid leave from an employer. It should be noted, however, that women who are not eligible for statutory unpaid leave from their employer also have the options of negotiating leave with their employer, or resigning from their employment and still being eligible for the PPL scheme. Of the mothers who were not eligible for PPL or statutory unpaid leave, 78 per cent of them were not working in the 13 months before the birth of the child and 22 per cent were working but did not meet the work test. The majority of these mothers (78 per cent) already had other children in the

household. Additional analysis also indicates that 90 per cent of these mothers who were not eligible cite that one of the main reasons for not being in the workforce before the birth was that they **prefer to be at home looking after their child or children themselves**.

One of the main limitations of previous research into leave provisions around the birth of children is the lack of information on more marginal groups in society. To fill this gap in knowledge, one of the goals of the evaluation is to examine the impact of PPL on a number of special-interest groups, including mothers from CALD backgrounds, Indigenous and sole mothers. The concern with these groups is noted above (Section 1.2). The experiences of these groups were explored in more detail with qualitative face-to-face interviews. Here we briefly present some data on the women in these groups who were surveyed.<sup>13</sup> The only group that differed were single mothers. Some 12 per cent of single mothers who would have been eligible for government PPL would not have met the eligibility requirements for unpaid employer leave. This compares with an equivalent figure of 5 per cent for all mothers who would have been eligible for PPL. Thus single mothers would have been more likely than other mothers to find themselves eligible for the government PPL scheme, but not for statutory unpaid leave.<sup>14</sup>

**Table 1: Mothers' and partners' eligibility and access to statutory unpaid parental leave, by eligibility for PPL**

	Eligibility for PPL scheme		
	Eligible %	Not eligible %	Total %
Eligibility for statutory unpaid leave			
Eligible	95	0	55
Working, but not eligible	5	22	12
Not working	0	78	33
Total	100	100	100
N	2579	1865	4444
Perceptions of access to statutory unpaid leave			
Yes	71	13	47
No	29	9	21
Not working	0	78	33
Total	100	100	100
N	2579	1865	4444
Perception of partner's access to statutory unpaid leave			
Yes	29	–	–
No	67	–	–
Not working	4	–	–
Total	100		
N	2398		

Note: Data weighted by state. Total numbers may differ due to variations in item non-response.

Source: BaMS

In the second panel of Table 1 above we present information about mothers' perceptions of access to unpaid maternity leave in their main job before they gave birth. This tells a slightly different story. Overall, 47 per cent of women report they had access to unpaid leave (compared to 55 per cent who would have been eligible based on their employment information). Focusing on employed women, some 31 per cent **perceived** that they **did not** have access to statutory unpaid leave in their job before the birth (compared to 28 per cent who **actually would not** have been eligible based on their employment information). Interestingly, 13 per cent of mothers who would be ineligible for the government PPL report that they had access to unpaid maternity leave with their employer, even though they did not meet the statutory eligibility requirements. For the special-interest groups the data indicate

that CALD mothers report similar coverage to the total sample (30 per cent), a higher proportion of Indigenous (45 per cent) and sole mothers (44 per cent) who meet the eligibility for government PPL report they had no access to statutory unpaid leave in their job before the birth. Overall, the results suggest that there is a large gap between **perceptions** of access to statutory entitlement and **eligibility** based on employment history before birth.

In relation to partners' access to leave, we must rely on the perceptions and knowledge of mothers. We find that 4 per cent of partners were not employed before the birth; this is similar to PLAS. PLAS also found that 65 per cent of fathers would be eligible for statutory unpaid leave based on the 12 months with the same-employer criterion. In BaMS we asked mothers whether their partner had access to unpaid leave. Only about 30 per cent of BaMS mothers with working partners said that their partners had access to unpaid leave in their job before the birth. This is slightly lower for Indigenous mothers, where around 26 per cent of partners were believed to be eligible for unpaid leave. Differences between PLAS and BaMS may be explained by differences in questions, with PLAS determining eligibility and BaMS asking mothers about perceived access. It seems likely that many mothers are unaware of their partners' statutory unpaid-leave eligibility.

## 4.2 Employer-paid parental leave provisions

### Employees' perceptions of access

Eligibility for paid parental leave depends on the specific provisions of the entitlement as set out in legislation, policies or agreements, but is usually consistent with the '12 months with one employer' rule for unpaid leave (because it is essentially an arrangement to provide payment for a specified number of weeks within the statutory unpaid-leave entitlement). Estimates of access to paid maternity, paternity and related forms of leave largely fall into three categories:

- estimates of employees' perceptions of access
- estimates of the prevalence of parental-leave pay provisions in company policy, and
- estimates of the prevalence of provisions in industrial instruments and the number of employees covered by such provisions.

The main sources for these different kinds of estimates, and their limitations, are discussed below.

The ABS *Employee Earnings, Benefits and Trade Union Membership* (EEBTUM) survey (ABS 2008e) provides the most frequently used estimates of employees' perceptions of access to paid maternity/paternity leave in their main job.<sup>15</sup> The other main ABS survey providing estimates of employee access to paid parental leave is the *Forms of Employment* (FoE) survey (ABS 2010d). In addition, some other ABS surveys have provided occasional estimates of access to paid parental leave and related provisions, for example, the 2007 *Survey of Employment Arrangements, Retirement and Superannuation* (2007b). Both EEBTUM and FoE have shown a trend towards increased access to paid maternity/paternity leave since data collection began, although there was a recent reversal in the trend based on EEBTUM data (from 2008–09 the figures dropped from 35 to 25 per cent for male respondents and 45 to 37 per cent for female respondents). This may reflect uncertainties about entitlements in the wake of the government's announcement in 2009 of its new PPL scheme—EEBTUM is conducted in August, whereas the FoE survey is conducted in November and may have been less affected by this event. The FoE survey shows increases in perceptions of access to paid maternity/paternity leave for men and women from 36 and 45 per cent respectively in 2004 to 42 and 49 per cent respectively in 2009. A particular difficulty in interpreting these data is the high proportion of 'don't know' responses (over one-quarter of male, and 14 per cent of female, respondents to FoE in 2009). This underlines the concerns mentioned earlier with surveys that rely on respondents' knowledge of entitlements and their capacity to answer 'in principle' even if the entitlement is not relevant to them.

As noted with respect to unpaid leave, HILDA and NLC also provide estimates of individuals' perceptions of access to paid forms of leave. NLC, for example, shows increases in perceptions of access to paid maternity/paternity leave from around 40 per cent of respondents in 1997 to 45 per cent in 2000.



While surveys of parents such as the ABS Pregnancy and Employment Transitions Survey (PaETS) conducted in November 2005 (ABS 2006a) and PLAS also provide some indication of levels of access to paid maternity, paternity and parental leave, this is primarily through estimates of uptake. We address this in more detail with PLAS data in the next section of the report.

Overall, collection of information on employee perceptions of access to forms of paid parental leave encounters similar problems to those outlined earlier for unpaid leave. There is typically a high proportion of 'don't know' responses, and aberrations (such as with the most recent EEBTUM release) underline the uncertainties around these kinds of estimates. In general, the evidence from a number of surveys at different time points and different populations over the past decade indicate that there is an increased coverage of employer-paid maternity leave.

In Table 2 below we use the BaMS in-scope and out-of-scope data to provide 2010 estimates of access to employer-funded paid parental leave. Overall the figures in the total column illustrate that the total sample is equally divided between women who were working and had access to employer-paid parental leave (34 per cent), women who were working but had not access to paid leave (33 per cent) and women who were not working (33 per cent). In BaMS the proportion of working women who had access to employer-paid leave is approximately 51 per cent, which is slightly out of the upper range of estimates provided by previous studies detailed above (which ranged from 37 per cent to 49 per cent). In contrast to these previous studies, however, we had no 'don't know' responses. This is likely due to the fact that our study only included women who had recently had a baby, and who were therefore more likely to be informed about their entitlements. In contrast, many of the other studies surveyed general populations who had not necessarily had a child recently and may or may not be aware of their entitlements.

In relation to eligibility for the government PPL scheme, we find that the majority of working women who did not have access to employer-paid parental leave would be eligible for PPL. Interestingly, we also find that 17 per cent of women who would not be eligible for government PPL had access to employer-paid leave, suggesting that employers may offer some women coverage in circumstances where PPL does not.

We also investigated access to employer-paid leave for our special-interest groups of single, Indigenous and CALD mothers. CALD mothers had a similar profile to the main sample, but the results suggest that of those who were eligible for the government PPL scheme, a smaller proportion of Indigenous mothers (39 per cent) and single mothers (25 per cent) had access to employer-paid leave than the overall sample. This suggests that PPL will provide more comprehensive coverage of paid parental leave for these groups who were less likely to have access to employer-paid leave than the general population.

**Table 2: Mothers and partners who had access to employer-paid parental leave provisions**

	Eligibility for PPL scheme		
	Eligible (%)	Not eligible (%)	Total (%)
Mother had access to employer-paid leave			
Yes	46	17	34
No	54	5	33
Not working	0	78	33
Total	100	100	100
N	2579	1865	4444
Partner had access to employer-paid leave			
Yes	31		
No	65		
Not working	4		
Total	100		
N	2398		

Note: Data weighted by state. Total numbers may differ due to variations in item non-response.

Source: BaMS

In the case of partners, we only have data for partners of mothers who were eligible for PPL. The results suggest that around 31 per cent of mothers with working partners thought their partners had access to paid parental leave; this sits it in the middle of the range of estimates provided by previous studies (ranging from 25 per cent to 45 per cent). This figure is significantly lower for Indigenous mothers, only 23 per cent of whom thought their partners had any access to paid employer leave.

In our review of the literature we identified that a particularly useful addition to existing data would be more comprehensive information on the provision of paid leave by small to medium businesses. In addition to the qualitative information in Appendix B, we present results from BaMS in Table 3, showing variation in mothers' perceptions of access to paid leave by business size. We find a very large variation in whether or not a woman reports access to employer-paid leave by company size. Only 10 per cent of women who worked in companies with fewer than 20 employees reported access to paid leave, in contrast with 63 per cent of women employed in large companies with 100 or more employees. Thus the results indicate that women employed in larger organisations were much more likely to report access to paid leave. In relation to the special-interest groups in BaMS the results were similar for Indigenous, single and CALD mothers where those employed in larger organisations have better paid leave provisions, although a much lower proportion of single mothers employed in larger companies (43 per cent) reported access to paid leave.

**Table 3: Working mothers' perceptions of access to paid leave and experiences during pregnancy by employer size (PPL-eligible mothers only)**

	Number of people who worked for employer/business				Total (%)
	SMALL Fewer than 20%	MEDIUM Fewer than 100%	LARGE More than 100%	Don't know size (%)	
Access to employer-paid leave					
Yes	10	22	63	51	46
No	90	78	37	49	54
Total	100	100	100	100	100
N	556	332	1665	25	2579
Problems with employer when pregnant					
Yes	13	16	15	8	15
No	87	84	85	92	85
Total	100	100	100	100	100
N	554	332	1662	25	2574
Assistance from employer when pregnant					
Yes	53	65	63	51	61
No	47	35	37	49	39
Total	100	100	100	100	100
N	554	332	1659	25	2571

Note: Data weighted by state. Results only apply to those who would have been eligible for PPL. Total numbers may differ due to variations in item non-response.

Source: BaMS

Additionally, in Table 3 we present results of analysis examining problems and supports with employers across business size. In relation to having problems with employers while pregnant—such as being treated with less respect, having trouble getting information, being dismissed or made redundant—there is no difference in experience depending on the size of the company. With respect to receiving assistance from their employer while pregnant, such as lighter duties, receiving paid time off for antenatal appointments, women employed in larger organisations of 20 or more employees were more likely to receive assistance.

These results were similar for Indigenous, single and CALD groups, although overall a higher proportion of Indigenous (21 per cent) and single mothers (27 per cent) experienced problems with employers, compared with the average of the mainstream respondents.

Together these results suggest that the size of the company is a very important factor in whether women have access to paid parental leave and receive assistance from their employers while pregnant. Those who work for small companies have poorer access than those employed in big companies. In Table 4 below we examine this relationship further and look at paid leave entitlements and treatment by employers by employment contract type (such as permanent, fixed term, casual and self-employed) stratified by organisation size (small, medium and large).

We differentiate between four different employment contract types. To do this we use information to determine whether the mothers were: 1) permanent (worked for an employer earning wages or salary on a permanent or ongoing contract); 2) fixed-term contract (worked for an employer for wages or salary on a fixed-term contract); 3) casual (worked for an employer earning wages or salary on a casual basis) or 4) self-employed (worked in own business either with or without employees). For the self-employed, it should be noted that some women were subcontractors working for one employer or working in family businesses. We had two questions in relation to women's experiences in their workplaces while pregnant. The first question asked: 'While you were pregnant, did you experience any problems in your workplace? (such as being treated with less respect, difficulty negotiating flexible work hours or getting information on maternity leave, being dismissed or made redundant, or other problems?)' The second question asked was: 'While you were pregnant, did you receive any assistance in your workplace? (such as being given lighter duties, receiving paid time off for antenatal appointments, being given flexible leave or hour arrangements, or other assistance?)'.

The most notable trend in Table 4 is that, irrespective of employer size, those who are on permanent or ongoing contracts or fixed-term contracts are much more likely to report access to employer-paid leave. Conversely, for casuals and the self-employed, employer-paid leave is virtually non-existent. The other noteworthy aspect of this table is that there is a lot of variation of employment contract type across organisation size. For example, the majority of self-employed women worked in smaller organisations with less than 20 employees. Of these women, only 5 per cent had access to paid leave. The most common type of employment contract was permanent or ongoing across small, medium and large organisations. Those on permanent or ongoing contracts in large organisations had the highest proportion of women who were entitled to paid leave (71 per cent).

**Table 4: Perceptions of access to paid leave and experiences during pregnancy by employer size and employment contract type (PPL-eligible mothers only)**

Organisation size	Employment contract type				Total (%)
	Permanent or ongoing (%)	Fixed-term contract (%)	Casual (%)	Self-employed (%)	
<b>Small: less than 20 employees</b>					
Access to employer-paid leave					
Yes	16	11	3	5	10
No	84	89	97	95	90
Total	100	100	100	100	100
N	260	8	97	179	543
Problems with employer when pregnant					
Yes	15	0	15	9	13
No	85	100	85	91	87
Total	100	100	100	100	100
N	260	8	97	176	541
Assistance from employer when pregnant					
Yes	67	89	58	31	54
No	33	11	42	69	46
Total	100	100	100	100	100
N	258	8	97	177	540
<b>Medium: more than 20 and less than 100 employees</b>					
Access to employer-paid leave					
Yes	25	41	3	0	22
No	75	59	97	100	78
Total	100	100	100	100	100
N	253	21	51	5	330
Problems with employer when pregnant					
Yes	15	26	17	0	16
No	85	74	83	100	84
Total	100	100	100	100	100
N	253	21	51	5	330
Assistance from employer when pregnant					
Yes	65	63	62	82	65
No	35	37	38	18	35
Total	100	100	100	100	100
N	253	21	51	5	330

Organisation size	Employment contract type				
	Permanent or ongoing (%)	Fixed-term contract (%)	Casual (%)	Self-employed (%)	Total (%)
<b>Large: 100 or more employees</b>					
Access to employer-paid leave					
Yes	71	53	6	0	63
No	29	47	94	100	37
Total	100	100	100	100	100
N	1382	110	154	8	1654
Problems with employer when pregnant					
Yes	15	16	18	0	15
No	85	84	82	100	85
Total	100	100	100	100	100
N	1380	110	153	8	1650
Assistance from employer when pregnant					
Yes	64	61	55	39	62
No	36	39	45	61	38
Total	100	100	100	100	100
N	1376	110	154	8	1648

Note: Data weighted by state. Results apply only to those who would have been eligible for PPL. Respondents who answered that they 'don't know' their employer size were excluded from analysis (n = 43). Total numbers may differ due to variations in item non-response.

Source: BaMS

There were no major differences in the experience of discrimination across employer size or employment contract type. With regard to receiving help from employers, women who were self-employed had the lowest proportion of women, irrespective of organisation size, who received assistance from employers when pregnant. The majority of self-employed women were in small organisations and only 31 per cent reported receiving any assistance when pregnant. Together these results suggest that not only organisation size but also the type of employment contract are important for whether a woman had access to paid leave and received any employer assistance while pregnant.

Using the BaMS data we investigate the provision of paid leave by sector in Table 5. We identified four different sectors: including 1 = private-sector 'for profit' organisation; 2 = private-sector 'not-for-profit' organisation; 3 = government business or enterprise or commercial statutory authority; and 4 = government, including any other government organisation such as a public service department, local council, school or university. As indicated by the results in Table 5, sector is a very important factor in the availability of paid leave. Overall, government-sector employees enjoy much greater access to paid parental leave than those working in the private sector. This is consistent with previous research by Baird et al. (2009) described above (see Section 2.2, under 'Coverage through industrial instruments'), where they found that 16 per cent of private agreements provided paid maternity leave whereas 59 per cent of public agreements did so.

There is, however, additional stratification within sectors. The majority of women in our sample were employed in the 'for profit' private sector (n=1575), and only 29 per cent of these women had access to paid leave. Of the smaller number of women employed in the 'not-for-profit' private sector (n=190), 46 per cent had access to paid leave. In contrast, while government employees overall were much more likely to have access to leave, those employed in the commercial-government sector were somewhat less likely to have access to leave than those employed in the more traditional government organisations (such as the public service).

Similarly, the results for Indigenous, single and CALD mothers suggest that those employed in government organisations have greater access to paid leave. The majority of mothers are, however, employed in private ‘for profit’ organisations. In the case of sole mothers employed in private ‘for profit’ organisations, only 11 per cent had access to employer-funded paid leave. This is much lower than for the general sample (29 per cent).

In relation to experiencing problems with employers when pregnant, we find that a higher proportion of women in the commercial government<sup>16</sup> sector experienced problems (21 per cent) than for any of the other sectors. Women working in private not-for-profit organisations were the least likely to report that they experience problems with their employer while pregnant (11 per cent). The differences across sectors in terms of assistance while pregnant were smaller, but women employed in the commercial government sector were slightly less likely to have received assistance. In relation to our special-interest groups, the data indicate that a relatively high proportion of single mothers (31 per cent) employed in ‘for profit’ private organisations experienced problems with their employers, relative to the overall sample (15 per cent). We also found that a high proportion of CALD mothers working in government (24 per cent) experienced difficulties with their employer, relative to the overall sample (14 per cent).

**Table 5: Access to employer-paid leave and workplace experience while pregnant by employment sector before birth (PPL-eligible mothers only)**

	Employment sector				
	Private (%)	Private NFP (%)	Commercial government (%)	Government (%)	Total (%)
Access to employer-paid leave					
Yes	29	46	77	84	47
No	71	54	23	16	53
Total	100	100	100	100	100
N	1575	190	159	607	2532
Problems with employer when pregnant					
Yes	15	11	21	14	15
No	85	89	79	86	85
Total	100	100	100	100	100
N	1572	190	158	607	2526
Assistance from employer when pregnant					
Yes	61	61	58	63	61
No	39	39	42	37	39
Total	100	100	100	100	100
N	1568	190	159	605	2523

Note: Data weighted by state. Results apply only to those who would have been eligible for PPL. Total numbers may differ due to variations in item non-response.

Source: BaMS

### 4.3 Right to request and flexible employment: insights from the interviews

The qualitative interviews with mothers demonstrated that women do not always simply accept the leave provisions of the jobs they hold. Instead, they sometimes seek jobs with leave provisions and other arrangements that they expect will suit them. Thus, some women changed their employer after the first child in order to have more flexible work conditions and/or paid maternity leave provision for their second or subsequent child. One of

our respondents had worked as a dietician in a practice employing approximately 50 employees while pregnant with her first child. She did not receive any paid parenting leave, and so did not return to the employer following childbirth. Instead, she set up her own business and became self-employed in order to be able to manage work with parenting. She explained that she was disappointed with her pre-birth workplace for not providing any paid parental leave, and that many others of the female-dominated staff of dieticians had also changed employers, most moving to the public sector, because of the lack of leave provisions in the private sector.

**Interviewee:** It's a predominantly female workforce in dieticians. People have come and gone over the years on maternity leave. There is still no sign of the employer being willing to offer that [paid parental leave]. I know, just in hindsight, that a lot of people ended up moving on or not coming back after having their child because of that.

**Facilitator:** Is that how you felt as well or did you have other plans?

**Interviewee:** I had other reasons I guess, but it will make it less attractive, yes definitely. Knowing that most people I know that have worked there are now close friends of mine and planning to have baby number two, they've gone into the public sector rather than back to that private. Things will change now obviously with the legislation I'm assuming [PPL]. A lot of them opted for the public sector ... because they know that there is a lovely maternity package to go along with it for their next child. [Int # 17]

The interviews with women also reveal the range of approaches new mothers take to enable them to balance parenthood with paid work, and the extent to which some women are proactive in shaping their situation.

For example, some women adopted strategies to allow them to successfully combine paid employment with parenthood even before becoming pregnant. In some cases, as illustrated below, women deliberately changed their employer in order to receive paid maternity leave, or because of the reputation of the employer for being 'family friendly'.

I actually joined the company that I'm currently working for ... about three years before I fell pregnant. I specifically was looking for a company that had a paid parental leave scheme because I was in the hospitality industry. I'd studied hospitality up until — I think I was about 20; I was 27 when I left. I knew at some point in the near future I wanted to have a baby. Unfortunately, in hotels, there was just no — you had a baby; they gave you the time off but there was no financial [compensation].

So, I went looking for a blue-chip company that actually had paid parental leave schemes. Also, I was unhappy with my job; there were a few other factors. So, joined [company] at 27 and fell pregnant. It was a planned pregnancy, so you have time to save as well. On top of that, I really wanted 12 months off. I fell pregnant I think, when I was 30. So, three years later, had the secure job — pregnant. [Int # 50]

There are a number of very clear examples of women leaving a workplace or employer when flexibility was not available in their hours of work or the timing of the work. In one example, a CALD woman with a Master's degree decided not to return to work to her private-sector employer, in part because Saturday work was required (Int # 82). In another case, a mother of three left her long-held position in the public sector, in part because holidays could never be taken in January as this was the busiest time of year for the organisation. She returned to the organisation briefly (for three months) after her maternity leave, before resigning and moving to a private-sector position in an insurance company. Employment in this sector allowed her to work as a casual, in hours that fitted in around the children. She worked in an insurance company call centre from 5pm to about 10pm, for two or three shifts per week while her husband looked after the children, gave them dinner, bathed and put them to bed. Overall, her perception of her previous (public-sector) employer was not positive:

**Facilitator:** Did you feel like you were treated pretty well in your job before?

**Interviewee:** Not so much when I had [second child]. I had experienced some difficulties in the workplace when I was pregnant with [second child].

**Facilitator:** What kinds of difficulties were they?

**Interviewee:** The job I was doing they actually took off me and put me into another role.

**Facilitator:** Why?

**Interviewee:** It was never explained. I went on holidays and I came back and I don't know, they never told me.

**Facilitator:** Did you think that it might have been because you were pregnant?

**Interviewee:** I think because they probably thought I was going to leave so they just wanted to get someone else trained up ... That was a bad experience—I returned to work when [second child] was 18 months old, so that was a really bad experience.

**Facilitator:** Did you change employers after that?

**Interviewee:** I just left and I didn't— I think I went back for a while, about three months and then I left— ... I think when people are pregnant in that environment, they just didn't want it because it was a highly stressful— you're dealing with military people that leave all the time and they're stressful— stressed anyway. It's a very stressful environment.

**Facilitator:** Do you think maybe too that they really couldn't— weren't quite organised for flexibility?

**Interviewee:** Definitely. They didn't want you going back part time. Everything had to be full time. You couldn't take leave at certain times of the year (January). [Int # 007].

Conversely, a strong sense of commitment to employers who provide paid maternity leave and/or family friendly workplaces is evident in the expressed attitudes of a great number of interviewees. For example, a CALD woman who had worked as a finance officer for a not-for-profit organisation for four years before her pregnancy was able to take 18 weeks of paid parental leave, and was able to negotiate a highly flexible return-to-work regime with her employer; she is able to arrange her work schedule to suit her needs, as long as she works seven hours per day. (Int # 112)

## 4.4 Conclusion

In this section we have examined issues to do with entitlement and access to unpaid statutory parental leave and employer-paid leave for mothers before the introduction of the government PPL scheme. In relation to statutory unpaid leave, the BaMS (2010) data align closely with PLAS (2005) in terms of eligibility to unpaid leave for mothers. PLAS shows that 72 per cent of employed mothers were eligible for statutory unpaid leave; the BaMS shows a slightly higher proportion of 76 per cent. We find that a smaller proportion of mothers believed that they had access to statutory unpaid leave from their job (69 per cent) than were eligible according to their employment history before giving birth (82 per cent).

In addition, we examined eligibility and access to unpaid leave in relation to the newly introduced PPL scheme. This analysis highlights a couple of inconsistencies. The first is that some mothers will be eligible for PPL, but not eligible for statutory unpaid leave. This represents a difference between PPL and statutory unpaid leave entitlements. Our data suggest that approximately 5 per cent of mothers may fall into this group. It is also worth noting that, in additional analysis, we found that approximately 12 per cent of mothers who were single at the birth of their child would fall into this policy gap, suggesting that single mothers may be additionally disadvantaged. The PPL scheme was designed to be very comprehensive in its coverage to maximise those eligible for PPL, but this small percentage of women will not be eligible for statutory leave from their employer. These women have the option of negotiating with their employer to take unpaid leave, or resigning.

Overall, for our special-interest groups we find that single mothers and Indigenous mothers have poorer access to statutory unpaid leave from their employers, but CALD mothers have a similar access to statutory unpaid leave as the general sample.

In relation to access to paid leave, we find that around 51 per cent of women in BaMS who were working before the birth of their baby had access to employer-paid maternity leave. Previous studies indicated that between 37 per cent and 49 per cent of Australian women had access to paid leave through industrial arrangements. Our rates might be higher because our sample is drawn from a group of women who have just had babies and may be more aware of their entitlements than the general population. For the 49 per cent of women who had been working before they gave birth and did not have access to employer-paid maternity leave, the newly introduced government PPL scheme would provide coverage for 94 per cent of those women. This suggests a large improvement in coverage of paid leave for working women. In relation to our special-interest groups we find that Indigenous and single mothers tended to have poorer coverage of employer-paid leave and thus the government PPL scheme should provide much greater coverage for those groups in particular.

Significantly we also find that organisation size is a very important factor in whether or not women have access to paid parental leave and receive assistance from their employers while pregnant. Those who work for small



(10 per cent) and medium (22 per cent) organisations have poorer access to paid leave than those employed in large organisations (63 per cent). This also varies depending on the employment contract. Irrespective of organisation size, women who have permanent or ongoing contracts or fixed-term contracts have much greater access to paid leave than casuals or the self-employed. For example, the majority of women who were self-employed worked in small organisations and only 5 per cent had access to paid leave. In contrast, 71 per cent of permanent or ongoing employees in large organisations have access to paid leave. This suggests that the introduction of the government paid leave will extend coverage for those employed on casual contracts or self-employed, who traditionally have not had access. Additionally, we find that women who are self-employed were less likely to receive assistance from their employer than women on other employment contract types, particularly those working for smaller organisations. The reason why we might find that some women who are technically working for themselves (self-employed) feel that they have been unfairly treated by their employer is because they are technically self-employed, but subcontract their services only to one organisation. We have no way of differentiating these from other self-employed workers.

The qualitative interviews revealed that some women, who were in a position to do so, changed employers to improve their access to leave and flexible work arrangements before the birth of their baby.

Finally, we find that the employment sector is very important for whether or not a woman had access to paid leave. Employees working for government were much more likely to have access to paid leave than those in private industry. The group least likely to receive paid leave were those working in private ‘for profit’ organisations (29 per cent); this was also the sector in which the majority of women were employed. Within this sector there was some variation, 46 per cent of women employed in not-for-profit private organisations had access to paid leave. Women working in government had the best coverage, with 84 per cent being entitled to paid leave, although for women working in the commercial government sector this figure was slightly lower at 77 per cent.

## Summary: key points

This section examined the extent of coverage and access to unpaid and paid leave before the introduction of the PPL scheme. The baseline data indicate that:

### Unpaid leave

- ▶ Around 82 per cent of women who were working before the birth of their child were eligible for statutory unpaid leave from their employer (according to their employment history before the birth: 12 months with the same employer).
- ▶ Women’s perceptions of access to unpaid leave (around 70 per cent) were slightly lower than indicated by their eligibility (82 per cent).
- ▶ Fathers were less likely than mothers to have access to unpaid leave (29 per cent according to mothers’ reports).
- ▶ Approximately 5 per cent of women who would be eligible for the government PPL scheme would not be eligible for unpaid leave from their employer. This proportion was 12 per cent for single mothers.

### Paid leave

- ▶ Approximately half of the women who were working before the birth of their child had access to employer-paid maternity leave. This varied depending on:
  - the size of the organisation, where women in larger organisations were much more likely to be eligible for employer-paid maternity leave provisions
  - the type of contract, where women on permanent or ongoing contracts had much greater access to employer-paid maternity leave provisions than those on casual contracts and the self-employed.

According to the findings of the baseline survey, it is expected that the introduction of the government PPL scheme will extend coverage of paid parental leave for working mothers from 51 per cent to 95 per cent.

Fathers were less likely than mothers to have access to employer-paid paternity leave (31 per cent according to mothers' reports).

The qualitative interviews revealed that some women, who were in a position to do so, changed employers to improve their access to leave and flexible work arrangements before the birth of their baby.

## 5 Uptake of parental leave

The previous sections have outlined the current provisions for parental leave, both those provided by employers and those guaranteed by legislation. In this section we examine how parents use these provisions by focusing on the uptake of parental leave and of other forms of arrangements. We also briefly consider the main factors that are associated with uptake.

### 5.1 Parental leave uptake: overview of data available before BaMS

Before 2005, very little research in Australia had investigated parental leave availability and uptake. A number of state-level ABS surveys provided some estimates of leave usage. These were conducted in Tasmania, New South Wales and Queensland (for example, *Balancing Work and Caring Responsibilities, Tasmania* (ABS 2000b); *Managing Caring Responsibilities and Paid Employment, New South Wales* (ABS 2001) and *Queensland* (ABS 2003b); *Managing Care and Work, NSW* (ABS 2006b). They focused on caring responsibilities and leave taking, and collected information on issues such as the number of women taking maternity leave (typically over the five years preceding the survey), combinations of paid and unpaid leave and return to work. In addition, some national information has been collected in other ABS surveys: for example, the *Career Experience Survey*, last conducted in 2002 (ABS 2003c), provided information on the number of employees with children under six years of age who took a break from work when their youngest child was born.

National surveys dedicated to the issue of parental leave include Glezer's 1986 survey (Glezer 1988) and two major surveys conducted in 2005: PLAS (nested in Wave 1.5 of Longitudinal Study of Australian Children (LSAC), surveying the infant cohort) and the ABS *Pregnancy and Employment Transitions Survey* (PaETS) (ABS 2006a). Comparisons between the Glezer survey and PLAS illustrate the extent of change over the two decades from the mid-1980s to mid-2000s. Most significantly, the percentage of mothers in the samples who were employed during their pregnancy rose from under 50 per cent to around 70 per cent. Leave take-up rates also increased considerably—Glezer reported that 44 per cent of those in her survey took maternity leave (1988, p. 25), whereas the proportion of employed mothers who took leave in 2005 was around 70 per cent (although this includes some whose leave was not formally defined as 'maternity' leave).

The following material elaborates leave uptake patterns using PLAS data. Clearly uptake rates depend on the population base under examination, increasing as the base is narrowed from the full sample to 'all employed' (anyone who identified as 'working' in paid employment), to 'employees' (only those who worked as an employee—not self-employed), and again to 'unpaid leave-eligible' employees (those working for the same employer for the 12 months before the birth and thus meeting the eligibility criterion for the statutory entitlement). The following figures are presented here for women who were employees and who were eligible for unpaid leave. Using PLAS we are unable to distinguish mothers who would have been eligible for the government PPL scheme because PLAS did not ask the questions necessary to establish eligibility.

Among mothers responding to PLAS who were 'employee' and 'unpaid leave-eligible' before the birth of their child, 76 and 88 per cent respectively took leave of some kind around the time of the birth. Some unpaid maternity leave was taken by 57 per cent of 'employee' and 68 per cent of 'unpaid leave-eligible' mothers, while the comparable figures for paid maternity leave (understandably lower, given the limited coverage of these provisions) were 37 and 46 per cent respectively. The majority of mothers who took leave used different forms, with various combinations of paid and unpaid maternity and other (non-maternity) forms of leave.

Among fathers who were 'employees' and 'eligible for unpaid leave', the data from PLAS indicate that 83 and 88 per cent respectively took leave of some kind around the birth of the child. Only 7 per cent of 'employee' and 6 per cent of 'unpaid leave-eligible' fathers took some unpaid paternity leave, but the comparable figures for paid paternity leave were higher: 25 and 27 per cent respectively. The most common form of leave used by fathers was 'other paid leave' (most commonly paid annual leave), which was used by 62 per cent of 'employee' and 68 per cent of 'unpaid leave-eligible' fathers.

These and related data from PLAS, and figures from the 2005 PaETS survey, constitute the best baseline data available before BaMS and the other Phase 1 data collections. Some extension of earlier data may be possible using information from the NLC survey, which in waves 3 and 4 (conducted in 2003 and 2006 respectively) asked a suite of questions about the use of maternity leave (paid and unpaid), reasons for not taking leave, partner's use of leave, return to work and child care arrangements. However, BaMS data will be most clearly comparable with PLAS. Change in leave usage is to be expected in the period since the experiences of parents whose babies were born between 2003 and 2005 (the span of PLAS and PaETS births), particularly in view of an upwards trend in the prevalence of paid-leave provisions in the private sector and generally increasing perceptions of access among employees over recent years (for example, as indicated in EOWA and ABS surveys).

In the next section we use data from BaMS to provide a more recent picture of the various types of leave taken by mothers and their partners after birth, including paid, unpaid, other leave without pay, paid holiday or annual leave, paid long service leave, paid sick leave, and other paid leave.

## 5.2 Parental leave uptake: evidence from BaMS

In Table 6 we show the months of paid leave taken by mothers and partners who have access to paid paternity or paternity leave. In the previous section we showed that approximately 34 per cent of our total sample, and 51 per cent of the working women in our sample, reported having access to employer-paid maternity leave. In Table 6, the results indicate that 96 per cent of mothers who were eligible for employer-paid maternity leave took leave when their baby was born. The largest group of mothers (38 per cent) took between three and five months of employer-paid leave (with an average of 3.76 months, excluding those who had not yet returned to work). A further 19 per cent took less than three months of leave and 19 per cent had six or more months of leave. Finally, we find that around 20 per cent of mothers with access to paid maternity leave were still using some type of paid leave when they were surveyed in December 2010 (13 to 14 months after their baby was born). For CALD, Indigenous and single mothers the patterns were similar. The main differences were that Indigenous and single mothers tended to have lower levels of access to leave (as indicated in the previous section). Partners of mothers who would have been eligible for PPL took a much shorter duration of leave than women. We therefore report weeks of leave taken rather than months. The vast majority of partners who were eligible for paid leave (92 per cent) took some leave after the birth of the baby. A relatively small proportion of eligible partners (16 per cent) took less than one week of leave after birth, but most eligible partners took one to two weeks leave (35 per cent) or two to four weeks leave (31 per cent). A much smaller proportion (9 per cent) took more than four weeks of leave.

**Table 6: Paid parental leave taken by mothers and partners with access to employer-provided paid leave**

	Mother's eligibility for PPL scheme		Total (%)
	Eligible (%)	Not eligible (%)	
Months of paid leave			
No leave	3	15	4
Less than 3	19	22	19
3 to 5	37	43	38
6 or more	19	21	19
Still on leave (13+ months)	21	0	20
Total	100	100	100
N	1187	90	1277
Partners' weeks of paid leave			
No leave	8		
Less than 1 week	16		
1 to less than 2 weeks	35		
2 to less than 4 weeks	31		
4 weeks or more	9		
Total	100		
N	727		

Note: Data weighted by state. Total numbers may differ due to variations in item non-response.

Source: BaMS

In Table 7 we present data on the uptake of unpaid parental leave for mothers and the partners of PPL-eligible mothers. As indicated in Table 1, around 71 per cent of the working women in BaMS perceived they had access to unpaid leave; although it should be noted that, according to employment histories before birth, around 82 per cent of working women should have had statutory entitlement to unpaid leave. The uptake of unpaid leave was 81 per cent (81 per cent of women who were eligible for unpaid leave took some leave of this kind). This is lower than the uptake of employer-paid maternity leave. However, the amount of time taken in unpaid leave after the birth was longer than for employer-paid leave. The majority of women who took some unpaid leave took around six or more months; the average amount of time taken was 5.87 months (excluding the 10 per cent of mothers who had not returned to work from unpaid leave). For partners of PPL-eligible mothers, the majority of those who were eligible (55 per cent of those eligible) did not take any unpaid leave. For those partners who took some unpaid leave, the average amount of time taken was one or two weeks.

**Table 7: Unpaid parental leave taken by mothers and partners with access to unpaid leave**

	Mother's eligibility for PPL scheme		Total (%)
	Eligible (%)	Not eligible (%)	
Months of statutory unpaid leave			
No leave	18	32	19
Less than 3	10	8	10
3 to 5	15	9	15
6 or more	47	42	46
Still on leave (13+ months)	10	8	10
Total	100	100	100
N	1809	163	1972
Partner's weeks of unpaid leave			
No leave	55		
Less than 1 week	7		
1 to less than 2 weeks	16		
2 to less than 4 weeks	16		
4 weeks or more	5		
Total	100		
N	635		

Note: Data weighted by state. Total numbers may differ due to variations in item non-response.

Source: BaMS

It is well documented that women draw on a range of different types of leave around the birth of their child(ren). In BaMS, we found that women who were working before the birth of their child took an average of 2.7 types of leave after the birth of their child (see Table 8).

**Table 8: Number of different types of paid and unpaid leave taken by working mothers after the birth of the child by eligibility for PPL**

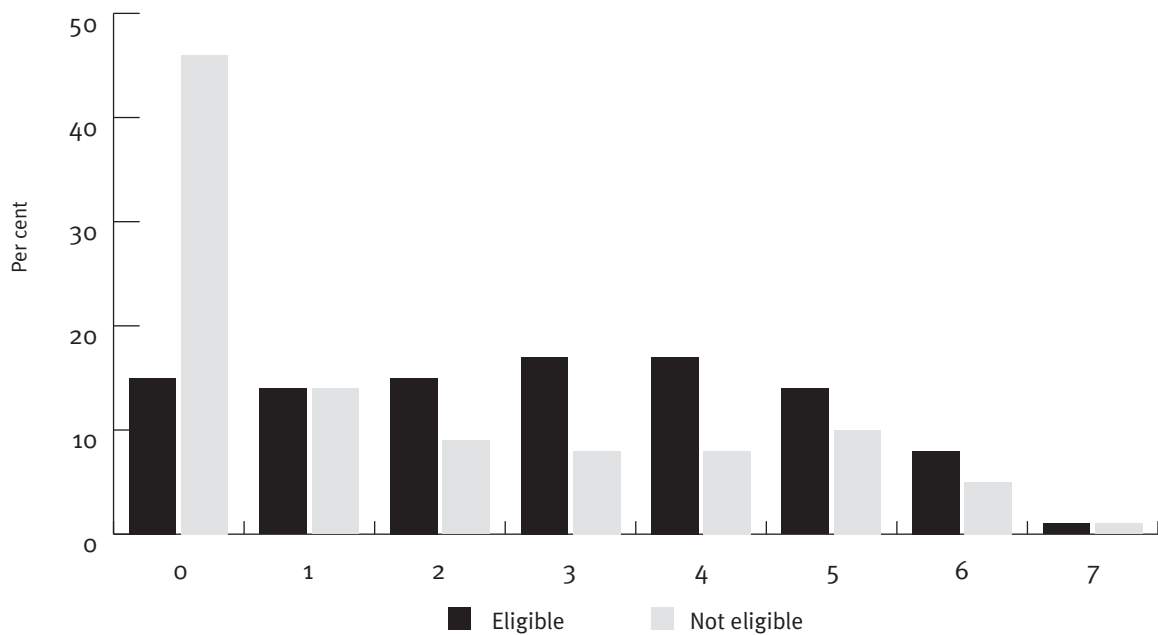
	Mother's eligibility for PPL scheme		Total
	Eligible	Not eligible	
Mean number of different types of leave	2.87	1.71	2.71
N	2578	413	2991

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. The types of leave covered by this table are: 1) paid maternity leave, 2) unpaid maternity leave, 3) other leave without pay, 4) paid holiday or annual leave, 5) paid long service leave, 6) paid sick leave, and 7) other paid leave.

Source: BaMS

Thus it is important to look at all types of leave that women take after birth to get a better understanding of the complex arrangements women often make to get enough time off work. In BaMS we differentiate between seven types of leave. Figure 2 shows the number of different types of leave taken by mothers who were working before their baby's birth. It separates women who would and would not have been eligible for PPL. It shows that 15 per cent of women who would have been eligible for PPL took no leave,<sup>17</sup> and 14 per cent of them used only one type of leave. More than two-thirds of PPL-eligible women used two or more different types of leave after the birth of their child. By contrast, 46 per cent of working mothers who would not have been eligible for PPL took no leave, and 14 per cent took only one form.

**Figure 2: Number of different types of paid and unpaid leave taken by working mothers after the birth of their child by eligibility for PPL**



Note: Data weighted by state.

Source: BaMS

In Table 9 we show the amount of time taken in other types of leave (leave not specifically related to parental leave) by working mothers who were eligible and not eligible for PPL.

**‘Other’ leave without pay:** Only around 31 per cent of mothers who were working before the birth of their baby (working mothers) in the sample (n=928) had access to leave without pay, other than unpaid maternity leave. The majority of those women did not take any other leave without pay (76 per cent).

**Holiday or annual leave:** A much larger proportion of working mothers (n = 1768, or 60 per cent) had access to some holiday or annual leave and the majority (73 per cent) of them used it. Most of these took less than three months in holiday or annual leave, although 17 per cent of them were on paid holiday or annual leave at the time of survey.

**Long service leave:** Only about 19 per cent of working mothers had access to paid long service leave, and most of these women (67 per cent) did not use it. Of those women who had access and used paid long service leave, the majority took less than three months; a relatively small proportion (seven per cent) were on long service leave at the time of the survey.

**Sick leave:** In relation to paid sick leave, around 42 per cent of working mothers had access to paid sick leave; however, the majority of women (69 per cent) did not use sick leave. Of those who did use sick leave, almost all took less than three months.

**‘Other’ paid leave:** Only 5 per cent of working women had access to other paid leave and the majority (74 per cent) of these women did not take any other paid leave.

**Table 9: Other<sup>(a)</sup> forms of paid and unpaid leave taken by mothers after the birth of study child (excluding statutory entitlements and paid maternity leave)**

	Mother's eligibility for PPL scheme		Total (%)
	Eligible (%)	Not eligible (%)	
Months of other leave without pay			
No leave	76	76	76
Less than 3	7	13	7
3 to 5	4	4	4
6 or more	7	4	7
Still on leave (13+ months)	7	3	6
Total	100	100	100
N	843	84	928
Months of paid holiday or annual leave			
No leave	26	43	27
Less than 3	51	55	51
3 to 5	4	1	4
6 or more	1	1	1
Still on leave (13+ months)	19	0	17
Total	100	100	100
N	1627	141	1768
Months of paid long service leave			
No leave	65	87	67
Less than 3	16	9	15
3 to 5	8	4	8
6 or more	3	0	3
Still on leave (13+ months)	8	0	7
Total	100	100	100
N	509	49	558
Months of paid sick leave			
No leave	69	65	69
Less than 3	28	33	28
3 to 5	0	1	0
6 or more	0	1	0
Still on leave (13+ months)	3	0	3
Total	100	100	100
N	1115	128	1243
Months of other paid leave			
No leave	72	89	74
Less than 3	16	0	15
3 to 5	3	0	3
6 or more	4	11	4
Still on leave (13+ months)	5	0	4
Total	100	100	100
N	141	16	158

(a) 'Other' is defined as unpaid leave **other** than statutory entitlements and paid leave **other** than employer-paid maternity leave.

Note: Data weighted by state. Total numbers may differ due to variations in item non-response.

Source: BaMS



In Table 10 we present the results for the different types of leave taken by partners of PPL-eligible mothers. The key findings are:

**'Other' leave without pay:** Only 24 per cent of the partners in our sample had access to other leave without pay, and of those that did have access only 31 per cent took any other unpaid leave.

**Holiday or annual leave:** The majority of partners had access to paid holiday or annual leave (62 per cent) and 80 per cent of them used that leave around the time of the birth. Most partners took up to one month in paid holiday or annual leave.

**Long service leave:** About 16 per cent of partners had access to paid long service leave, but only a very small proportion (12 per cent) used it. If long service leave was available, the majority of partners took more than four weeks.

**Paid sick leave:** Around 38 per cent of partners had access to paid sick leave, but only 15 per cent of them took that type of leave around the time of the birth.

**'Other' paid leave:** Similar to mothers, only about 6 per cent of partners had access to other types of paid leave; however, around 53 per cent of partners who had access used other unspecified types of paid leave.

**Table 10: Other<sup>(a)</sup> forms of paid and unpaid leave taken by partners after the birth of study child (only for mothers eligible for PPL)**

	%
Weeks of other leave without pay	
No leave	69
Less than 1 week	9
1 to less than 2 weeks	10
2 to less than 4 weeks	9
4 weeks or more	3
Total	100
N	544
Weeks of paid holiday or annual leave	
No leave	20
Less than 1 week	8
1 to less than 2 weeks	20
2 to less than 4 weeks	37
4 weeks or more	15
Total	100
N	1425
Weeks of paid long service leave	
No leave	88
1 to less than 2 weeks	2
2 to less than 4 weeks	3
4 weeks or more	7
Total	100
N	362

**Table 10: Other<sup>(a)</sup> forms of paid and unpaid leave taken by partners after the birth of study child (only for mothers eligible for PPL) *continued***

	%
Weeks of paid sick leave	
No leave	85
Less than 1 week	7
1 to less than 2 weeks	5
2 to less than 4 weeks	2
4 weeks or more	0
Total	100
N	879
Weeks of other paid leave	
No leave	47
Less than 1 week	14
1 to less than 2 weeks	14
2 to less than 4 weeks	19
4 weeks or more	7
Total	100
N	138

(a) 'Other' is unpaid leave **other** than statutory entitlements and paid leave **other** than employer-paid maternity leave.

Note: Data weighted by state. Totals differ due to variations in access to different leave types. Total numbers may differ due to variations in item non-response. Includes only partners of mothers who would have been eligible for PPL.

Source: BaMS

### 5.3 Attitudes and factors affecting use of parental leave and other arrangements

Decisions over whether to take leave at the time of the birth of a child are affected by numerous factors (many of which are also associated with decisions on leave duration and when, or if, to return to work—issues discussed elsewhere in this report). Elaboration of data from PLAS, which illustrate patterns of leave taking in the context of the policy framework in 2003–04, indicates that employment characteristics strongly influence patterns of uptake. Table 8 in Whitehouse Baird & Charlesworth (2008) shows that mothers were more likely to take leave of some kind if they were:

- in a relatively high wage group (90 per cent of those earning \$1000 per week or more took some leave, compared with only around half of those earning less than \$300 per week)
- on a permanent contract (close to 90 per cent of those on permanent contracts took some leave, compared with around half those on casual or fixed-term contracts)
- employed in a large workplace (close to 90 per cent of those in a workplace with 500 or more employees took some leave, compared with around two-thirds of those in a workplace with fewer than 20 employees)
- employed in the public sector (86 per cent of those in the public sector took some leave, compared with around 70 per cent of those in the private sector)
- working full time (a little over 80 per cent of those working full time took some leave, compared with around 70 per cent of those working part time)

- ▶ working in a managerial or professional occupation (more than 80 per cent of those working in managerial or professional occupations took some leave, compared with less than two-thirds of those in elementary clerical, sales and service occupations)
- ▶ a union member (close to 90 per cent of those who were union members took some leave, compared with around 70 per cent of those who were not)
- ▶ in a couple relationship (only around half of single mothers took leave, compared with close to 80 per cent of those in a couple relationship).

The same factors made mothers more likely to take some paid maternity leave. The effect of public sector and permanent status was particularly evident in relation to paid maternity leave, with 69 per cent of public-sector employees accessing some paid maternity leave, compared with 21 per cent of private-sector employees. Moreover, 50 per cent of permanent employees accessed some paid maternity leave, compared with only around 2 per cent of casuals and approximately 15 per cent of those on fixed-term contracts.

This is supported by other research which finds that mothers who were employees in the 12 months before birth, mothers who worked in the public sector, mothers who were employed in larger organisations, and mothers employed in workplaces with more family-friendly policies were more likely to use paid maternity leave after birth (Whitehouse, Baird & Hosking 2007). That study also showed that the likelihood of accessing paid maternity leave increased with wage levels and union membership, but decreased with employment in elementary clerical occupations (compared with the reference category ‘professionals’), part-time status and—most markedly—with non-permanent status. Overall, the findings underlined the importance of employment characteristics in explaining the uptake of paid maternity leave; maternal and family characteristics (such as mothers’ age, educational attainment and marital status and whether this was a first child) were not significant influences on the use of paid maternity leave. Similarly, analysis of the determinants of fathers’ use of leave (Whitehouse, Diamond & Baird 2007) underlined the importance of fathers’ employment characteristics over partner and personal attributes in explaining use of leave: the use of paid leave was positively associated with public-sector employment, and leave taking of any kind was negatively associated with working short hours, employment in small organisations and employment on non-permanent contracts.

The importance of employment characteristics for leave usage underlines the extent to which uptake reflects the coverage of leave entitlements and workplace supports around access and use. Further understanding of leave uptake patterns can be gleaned from questions in PLAS about parents’ reasons for not taking leave provisions or limiting the duration of their leave (duration and return-to-work decisions in BaMS are addressed in Section 6.1). According to PLAS data, the predominant reason (given by around two-thirds of mothers who quit work at the time their child was born), was the desire to look after the family full time. However, one-fifth gave the reason that their job was too demanding and they could not get enough flexibility in hours, while a similar proportion cited the lack of paid maternity leave as a reason for quitting. Clearly employment characteristics and the availability of work–family balance measures are important considerations in understanding choices over whether to take up leave options or exit the labour force.

Among PLAS respondents who did not report that they had quit their job, yet did not take maternity leave, the most common reasons for not taking maternity leave were lack of eligibility and lack of availability of paid maternity leave. Where fathers did not take any paternity or parental leave, the primary reason given (in around one-half of cases) was the lack of availability of paid paternity leave, although lack of eligibility for parental leave and having a partner (the child’s mother) at home in a full-time caring role were also noted in around one-fifth of cases.

PLAS also collected some information on parents’ perceptions of policy needs. The data show that around one-third of respondents thought that more, or some, paid maternity leave would have improved things for them most around the time of the birth of their child, although this varied considerably across family type. In families where the mother had not been employed before the birth, only 5 per cent identified this as most helpful, but in families where both parents had been employed full time before the birth, 59 per cent thought paid maternity leave would have improved things most (Whitehouse, Baird & Charlesworth 2008). In contrast, very few respondents (6 per cent) thought that longer unpaid parental leave would have been useful to them. Multivariate analysis presents a similar picture to these descriptive statistics, showing that the likelihood that some or more paid

maternity leave would be seen as most useful increased with mothers' employment in a permanent position before the birth and return to work after the birth, especially to a full-time position (Renda, Baxter & Alexander 2008).

While perceptions of policy needs give some indication of unmet demand for paid maternity leave, and the likely impact of wider provision on uptake rates, patterns of uptake will clearly also be shaped by related factors such as parents' attitudes to motherhood and gender roles. However, questions on the extent to which attitudes predict policy preferences and behaviour, or alternatively the extent to which policy regimes shape attitudes, are highly complex and will require detailed information and a significant lead time to investigate fully. Recent studies analysing attitudinal data on gender roles illustrate some of the complexities. Bolzendahl & Olafsdottir (2008), for example, highlight the weak relationship between 'liberal' parenting attitudes and support for paid parental leave policies in the United States, while Sjöberg (2010) examines seemingly contradictory attitudes to gender roles and women's participation in paid employment. Nevertheless, Sjöberg (2004) also argues on the basis of cross-national statistical analysis that the institutionalisation of family policy shapes gender role attitudes, thus emphasising the importance of questions about the attitudinal impact of a significant policy change.

## 5.4 Attitudes and factors affecting use of parental leave and other arrangements—results from qualitative interviews

Several clear patterns emerge from the interviews, particularly in relation to two of the special-interest groups involved in the qualitative component of the baseline data collection. For the entire sample of women interviewed, the factors affecting the use of parental leave include, most importantly: (a) financial factors, (b) access to paid leave and/or flexible work conditions, (c) attitudes regarding who should look after babies and children, (d) cultural norms and (e) access to affordable, quality child care.

Women who had access to paid leave spoke about it with unequivocal enthusiasm and appreciation, particularly in terms of the opportunity to spend time with their child. Typical of the kinds of sentiments expressed in interview, one public servant who was eligible for 14 weeks of paid maternity leave, and combined it with four weeks of recreation leave, said of her leave:

I enjoyed— it was great. It was fantastic to be able to spend that time with [my child]. I really appreciated that and thought this is one of the absolute perks of working in the public service to be able to have that leave. I was incredibly appreciative. I mean it would be lovely to be able to be in a situation where we could afford more and many people are able to take the whole year's leave because the money isn't so much an issue, but in our case I just— before my first child was born I was very much the primary breadwinner. [Int # 005]

This interviewee's case also illustrates another prevalent pattern in couple households where a combined income provides the basis for the rational calculation of the amount of (unpaid) leave they can afford. Those couples with greater financial security, or where the father's income was adequate, generally chose to extend the mother's paid maternity leave with a period of unpaid leave. These arrangements reflect a tension expressed by many women between their feelings about looking after their baby, the timing of return to work, and financial factors. Most women who returned to work within a few months of having a baby expressed some regret about this, unless the conditions under which they returned to work were very flexible, or where other family members looked after the baby. A self-employed professional woman responding to a question about how she felt about returning to work said:

Divided, there was a feeling of division. I would have loved to have had more time and I think if I could have afforded it, I would have had more time. But I'm fortunate too because I own my own practice and my clients are very understanding. I had an employee at that time that was doing my workload so I was able to kind of phase in ... that's the benefit of being self-employed, is that you have a bit more flexibility. But again, as I said, I think whilst cognitively I guess I was ready to go back to work, emotionally I was really not ready to go back to work. I much rather would have stayed at home with my baby. [Int # 107]

Many couples structured their leave and work patterns to maximise the amount of time children were cared for by one of their parents, and attitudes and cultural norms appear to play an important role in the arrangements families make.

Among CALD women, some distinctive patterns were evident. One of these patterns is the extent of reliance on the extended family to support and care for mothers and their children. Of the CALD women interviewed, almost all relied on extended family in ways that were not typically seen in the non-CALD sample. Several of the CALD women lived and/or worked with extended family, a pattern much less common among the other interviewees. In a number of cases, extended family, especially grandmothers, came to Australia from overseas for months at a time to look after the family around the time of the arrival of the newborn.

In other cases, complex arrangements were negotiated within the family to allow the mother to return to work. The case of a CALD immigrant illustrates the complexity involved. The woman emigrated with her husband and first child three years ago. The couple work shift work in a nearby health care facility, and at the time of her second pregnancy the mother had accrued entitlement to 20 weeks of paid maternity leave. The couple do not have any other family living in Australia, but the interviewee's mother visited from her home country for nine months to look after her daughter and her family around the time of the birth. In that time, the grandmother took care of all household cleaning and cooking duties, as well as care of the preschool-age child. The couple's financial situation dictated return to work full time as soon as the paid maternity leave ended. The couple strongly believe that parents or other family members should look after children until they are of school age:

Yeah, me and my husband, we both don't want them to go to child care. Because in India we don't send kids to child care and so we are not very comfortable with that idea. So that's why. We can't leave our job also, either of us. [Int # 049]

Given these exigencies, the couple have used flexible rostering of their hours to ensure that one of them is always at home with the children while the other one works. The mother works night shift; she organises her shifts with her line manager so that they complement her husband's shifts in the same hospital. While the workplace allows this degree of flexibility, the schedule is a gruelling one where one parent leaves for work when the other parent has arrived home. When asked how she and her husband had been coping, she said:

The nights go pretty well because she [the baby] sleeps well at night. I think it has been stressful for both of us, a little bit, with two small kids and then I come running from my shift and then he has to go running. We are lucky that we live closer to the hospital so we just make a quick ... switch over, yeah. But it has been a bit stressful. Every day you are running, running, everything in a hurry. [Int # 049]

In the case of a self-employed CALD woman, returning to work when her baby was only four months old was quite stressful; she said she missed the baby and worried about him while away at work. She and her husband run a small but intensely busy business. Her extended family came to Australia to help look after the baby initially, but then had to return to China. The mother tried various child care arrangements, none of which were satisfactory, and, at six months of age, the baby went to China for a period of months to be looked after there by the extended family. A number of other CALD women were employed in family businesses, and although they often returned to work when the baby was quite young, they were able to do this in a context of flexible hours and substantial family support with child care. [Int # 003, Int # 081, Int # 110, Int # 117]

Among some of the non-CALD women, returning to work was negotiated to 'fit in' with the schedule of the main breadwinner and around the needs of the family. Working flexible hours seems to be the most common strategy these women use. For example, one of the interviewees gave up her permanent job because working flexible hours was not considered favourably; instead she chose to work in a call centre for an insurance company, working late afternoon shifts so that her husband could care for their children while she was at work. She described their routine as:

What would happen is, he'd come home from work and I would have them all sort of bathed and sorted out and he would do dinner, or sometimes I would do dinner. Then I would leave around 5:30 to start work. It is a good job for children because of the night— —and see, the school holidays. But it can be quite stressful. [Int # 007]

Attitudes to parenting and child care, coupled with availability and affordability of child care, clearly inform the choices all parents make regarding their own leave from work. One of the professional women, in a comfortable financial position, added a year's unpaid leave to her paid leave entitlements, and said:

Yeah, I mean even if I was in financial straits I'd probably try and stay home if I could for a year to two years to sort of— —not that I have anything against child care for kids that young. But I know when I sent him off, you know, he sort of fend for himself to a certain extent. I sort of think ... I chose to have the kids, and I actually want to be with them sort of thing as long as I can. [Int # 038]

She did not return to work until her first child was almost three, and expressed her concern about child care for pre-verbal children:

Yeah. I think, because he started child care when he turned three and I thought by the time he was three he could communicate quite clearly. So at least if he comes home and something's wrong he can at least tell me. But you know, or if he's not enjoying it or something like that. Whereas when they're that young you don't know what happens sort of thing. [Int # 038]

The tension between the positive aspects of both work and parenting was expressed by a number of women, particularly professional, well-educated women.

**Interviewee:** I suppose I'm someone who does like work. So I get enjoyment and satisfaction out of the work. The reason why I was working so hard and pretty much had two jobs, was to save for my maternity leave, as a self-employed person.

So this time around I suppose I was — — I feel fairly certain that I only want two children, I wanted to quarantine as much time as possible for [baby] and just to be together and for her to get what she needed and for me to be as attentive as possible.

**Facilitator:** It sounds that you enjoyed that time?

**Interviewee:** I did, yes. It was difficult, like all new babies are. I think my perspective, as being a professional person, sometimes it's really hard to just leave that when you've got a lot of control and I suppose [status] in your work to attend to babe. But this is my second one so I felt more relaxed and I felt like on most days I knew what I was doing a little bit more. Overall I would say I enjoyed the time, yes. [Int # 037]

Another woman expressed her feelings of tension between the pleasures of work and parenthood in the following way:

**Facilitator:** How did you enjoy the leave, I mean, despite its challenges?

**Interviewee:** I loved it, I absolutely loved it, which really surprised me because the work that I've done I've done for 20-plus years and I've always been married to my work. I really enjoy what I do. I was very anxious about not doing it, initially. But then I was, to be honest, very blessed to be at home. I really enjoyed time off.

Yeah look, I'm enjoying my work, but I think certainly there's not that same degree of drive that I had previously. I enjoy my work and I'm definitely present when I'm at work but when I am at home and I'm not working I am definitely present at home, or present in my family life. So remarkably, it's a much better balanced life now. [Int # 107]

A small proportion of the interviewees had not returned to work, and an even smaller number of them defined themselves as 'stay at home mums'. Being a 'stay at home mum' is certainly a rarity among the non-Indigenous mothers, and the women who chose not to return to paid employment expressed strong sentiments that 'I didn't have a baby to send it to child care'. These women held strong views about their choices, particularly in a context where these choices were counter to the trajectories of the majority of women. These views are illustrated in the interview with one of the mothers who said:

**Interviewee:** Yeah, I don't want to put him in child care. Just while we can afford to live off one wage, we will. Like, if I need to go back, I'll go back. But right now, I had a baby to be a mother, not to put him in child care. I don't want to put him in there. I'd miss him. I love doing every day jobs with him, you know. I think just in general, a lot of people I talk to, it just seems so hard to try and be a 'stay at home mum', financially, in this day and age. It's almost like — — I think I'm the only one in my whole mums' group that hasn't gone back to work at least part time.

**Facilitator:** How many people would be ...

**Interviewee:** Nine people in my mums' group. Which is not a lot, but in one group it's nearly 100 per cent. I think it's just sad. But what can you do, really. [Int # 013]

Of the 16 Indigenous women interviewed, the attitudes to maternity or parental leave are similar to the non-Indigenous women, but their positions and opportunities are quite different. Most striking of the differences is the small number of women (six) who had any paid maternity leave, and the high proportion of interviewees who held casual or temporary positions. The Indigenous women who were permanent employees and had access to paid leave (including two teachers, a laboratory technician and an employment consultant) talked about their experience of leave taking, parenting and return to work in very similar ways to other women in the sample who

were able to enjoy the benefits of paid leave. So, for example, one of the teachers, a mother of three, said she would prefer to spend more time with her children while they were young; she was able to take a total of 12 months of leave at part pay, and returned to work for financial reasons.

**Interviewee:** I'd love to stay home longer but money-wise you can't really. Have to go back to work.

**Facilitator:** How long would you stay home if you could?

**Interviewee:** Till he went to preschool. If I could I'd love to do that. I just think being a mum you should be there at least the first year with them when they're that little. It's good to do that.

**Facilitator:** You've enjoyed your experiences at home in the first year with your other kids?

**Interviewee:** Yeah, I think it's good. The same with them; I would've stayed home longer if I could but going back to work, paying the mortgage and everything else, you sort of have to work these days. [Int # 084]

The majority of Indigenous women interviewed did not have access to any paid maternity leave, however, and their return-to-work patterns were quite varied. Eight of the 16 women interviewed had taken up casual work, some on an almost full-time basis, others for very limited hours, and a number of these women relied on Centrelink payments for their income. The number of children our interviewees had was noticeably larger than the non-Indigenous women. Though Indigenous women do tend to have more children than non-Indigenous women, in this context it is likely to be due to the fact that the Indigenous women interviewed were all recruited through LSIC and so, by default, already had at least one child. More than half of the Indigenous women had three or more children; of these, two mothers had six children each, and two had four children each. Larger families of course make it more difficult to work for pay, especially given the expense, and sometimes the difficulty of obtaining child care. This is also likely to have affected return-to-work patterns when women did return to work. The importance of family support was very high for many of the Indigenous women. One of the young Indigenous women, who became a mother at the age of 18, had been employed on a full-time casual contract during her pregnancy. She was not eligible for any paid leave, and returned to work when her baby was six weeks old; her feelings about her return to work emerge clearly in the following excerpt:

**Facilitator:** How did you feel when you had to go back to work?

**Interviewee:** I was disappointed. I didn't want to go back at six weeks. Who wants to go back and leave their kid at six weeks? I was devastated. I didn't want to. I did want to but a part of me didn't. I didn't want to go back to that after spending six amazing weeks with [baby]. [Int # 083]

## 5.5 Conclusions

In this section we examined the uptake of various forms of leave, including paid maternity leave, unpaid maternity leave, other leave without pay, paid holiday or annual leave, paid long service leave, paid sick leave and other (unspecified) paid leave for those who had access to these different types of leave. In relation to paid leave we find that the overwhelming majority (96 per cent) of women who had access to employer-paid maternity leave took paid leave; the mean amount of paid leave taken by eligible mothers was 3.5 to 4 months. Similarly, for partners who had access to paid leave, 92 per cent took paid parental leave; the mean amount of paid leave taken was one week. In contrast, a much smaller proportion of mothers (81 per cent) and partners (45 per cent) who had access to statutory unpaid leave used unpaid leave around the time of the birth. The amount of time taken, however, was much longer for mothers who took an average of 5.5 to 6 months unpaid parental leave. The amount of unpaid leave taken by fathers was much less and equated to an average of one or two days.

Given the relatively limited access to paid and unpaid leave, parents usually take other forms of leave in addition to parental leave. The BaMS data indicate that working mothers took an average of 2.7 different types of leave. Those who would be eligible for PPL already had access to and used a wider variety of leave types around the time of the birth. With respect to types of leave other than those related directly to parental leave, the most common type of leave used was paid holiday or annual leave. The majority of working mothers (60 per cent) had access to holiday or annual leave and over 70 per cent of them used it around the time of the birth of the baby. The figures for partners were similar, although 80 per cent of partners took paid holiday or annual leave around the birth. For mothers, however, the average amount of time that paid holiday leave contributed to their leave was approximately one month, which is considerably less than the amount of time taken in paid or unpaid parental leave.

The qualitative interviews provide some insights into these behaviours and why women may or may not take all their leave entitlements at the time of birth. The findings from the interviews suggest that women take as much paid leave as possible around the time of the birth, but many households rely on the woman's wage for financial stability which limits the amount of unpaid leave they can take. Thus one of the main reasons given for not taking more leave was financial considerations and related to that was the amount of paid leave they were entitled to. For mothers who were self-employed or employed in a family business, both of these issues were particularly important.

For our CALD and Indigenous mothers the patterns were similar, although there were a few notable differences. For the CALD mothers, one notable trend was the involvement of the extended family in the care of babies shortly after birth and when mothers returned to work. However, this additional help from the extended family was often short lived because family members came from overseas and had to return within a relatively short amount of time. Indigenous mothers appeared to be particularly disadvantaged in relation to their structural access to parental leave, with many employed on casual contracts before birth. Many either returned to work early or had not returned to work and now rely on benefits as their primary income source.

## Summary: key points

In this section of the report we examined mothers' and partners' uptake of the following types of leave: 1) paid parental leave, 2) unpaid parental leave, 3) other leave without pay, 4) paid holiday or annual leave, 5) paid long service leave, 6) paid sick leave and 7) other paid leave. The baseline data indicate the following:

- The overwhelming majority (96 per cent) of women who had access to employer-paid maternity leave took it at the time of birth.
  - For fathers who had access to employer-paid paternity leave (and were partnered with PPL-eligible mothers), 92 per cent used it after birth.
- The uptake of unpaid leave was less universal:
  - Of mothers eligible for unpaid leave, 81 per cent actually used unpaid maternity leave provisions.
  - Of fathers in our sample who were eligible for unpaid paternity leave provisions, 45 per cent actually used unpaid paternity leave.
- The most commonly available, and used, form of other paid leave (not parental leave) after birth was holiday or annual leave.
- Two-thirds of women who would have been eligible for PPL used more than one type of leave after the birth of their child.
  - The average number of different leave types taken was 2.7.

In relation to the interviews, the following observations can be made:

- Regardless of education or professional/occupational status, income or attitudes, women took as much paid leave as they possibly could after childbirth.
- Most women who had returned to work at the time of interview would have taken longer had this been financially possible.
- Of the women who had returned to work, those who were entitled to paid maternity leave almost universally returned to the same employer following their period of leave.
- Most of the women who changed their employer when returning to work after childbirth had not had access to paid maternity leave; others changed employer or workplace because they were unable to negotiate flexible conditions that would suit their family responsibilities on return to work.



## 6 Workforce participation

This chapter is focused on mothers' employment trajectories following the birth of a child. Fathers are less likely to make major employment transitions at this time. However, the extent to which both mothers and fathers access flexible working arrangements and other family-friendly provisions at the workplace during their child's infancy is also relevant. This is because the employment decisions of mothers in couple relationships may be influenced by their partners' as well as their own options for flexibility and support at the workplace.

Mothers' patterns of return to work after the birth of a child vary considerably cross-nationally. These patterns are important influences on overall female labour force participation rates, which increased markedly in most countries over the latter half of the 20th century, and continue to increase. While female participation rates have increased significantly in Australia (as elsewhere) during this period, Australia remains distinctive with comparatively low labour force participation rates among mothers of young children (for a comprehensive cross-national overview of women's labour force participation, see Jaumotte 2003). Indeed, increasing women's labour force participation is one of the stated policy aims of the PPL scheme.

### 6.1 Patterns of return to work after parental leave

Before data collected for the current project became available, the most recent survey data on Australian mothers' patterns of return to work after taking parental leave are from PLAS (for mothers with a child born in 2003–04) and from PaETS (for women with a child under two in 2005). As these surveys indicate, trajectories may be quite complex, with exits from the labour force potentially occurring not only during pregnancy and at the time of the birth, but also during a leave period or after an initial return to work following a leave period. Moreover, transitions between employers and occupations may occur after an initial return to the same job. An additional complexity is the difficulty in distinguishing between leave taken from an employer and time out of the labour market around the time of the birth which may in some cases be reported as 'leave'. Nevertheless, these sources provide a broad picture of leave duration and timing of return to work. Data from BaMS allow this picture to be updated to 2010.

Overall, 71 per cent of the BaMS PPL-eligible sample had returned to work by the time of the survey, about 13 months after the birth of their child (Table 11). Just over three-quarters (76 per cent) of those who had returned to work went back to the same job they held before the baby's birth. On average, women who returned to the same job went back to work when their babies were about 6.5 months old, a little under three weeks sooner than those who began a new job when they returned to work. Women who had taken maternity leave took an average of 3.7 to 3.8 months of maternity leave, irrespective of whether they had returned to work. Similarly, there was little difference in the length of paid maternity leave whether women returned to the same job or a new one. However, the length of unpaid leave women took was strongly associated with their return-to-work patterns. Those who returned to the same job and used unpaid leave took the least leave of this kind (4.9 months on average), while those using unpaid leave who had not yet returned to work had taken the most (8.1 months on average). Women returning to work in a new job and taking unpaid maternity leave used just over six months. Among those taking other forms of paid and unpaid leave, there are some small variations associated with whether women had returned to work, but they are not of great consequence.

**Table 11: Mothers' patterns of return to work after birth by leave type and leave duration, 2010 (PPL-eligible mothers)**

	Work status						Total	
	Returned to work in same job		Returned to work in new job		Never returned to work		Mean	N
	Mean	N	Mean	N	Mean	N		
Average age of child at return to work (month)	6.48	(1369)	7.15	(436)	n/a	(749)	n/a	2554
Leave duration (Average months spent on each type of leave)								
Paid maternity leave	3.81	(599)	3.68	(144)	3.72	(250)	3.77	993
Unpaid maternity leave	4.89	(973)	6.1	(289)	8.06	(388)	5.84	1650
Other leave without pay	0.75	(448)	0.97	(136)	1.38	(198)	0.95	782
Paid holiday or annual leave	0.91	(772)	0.85	(245)	0.69	(371)	0.84	1388
Paid long service leave	0.92	(278)	0.42	(70)	0.82	(136)	0.82	484
Paid sick leave	0.11	(605)	0.22	(195)	0.18	(287)	0.15	1087
Other paid leave	0.34	(77)	0.03	(20)	2.07	(27)	0.67	124
Return to work (per cent)		54		17		29	100	2552

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

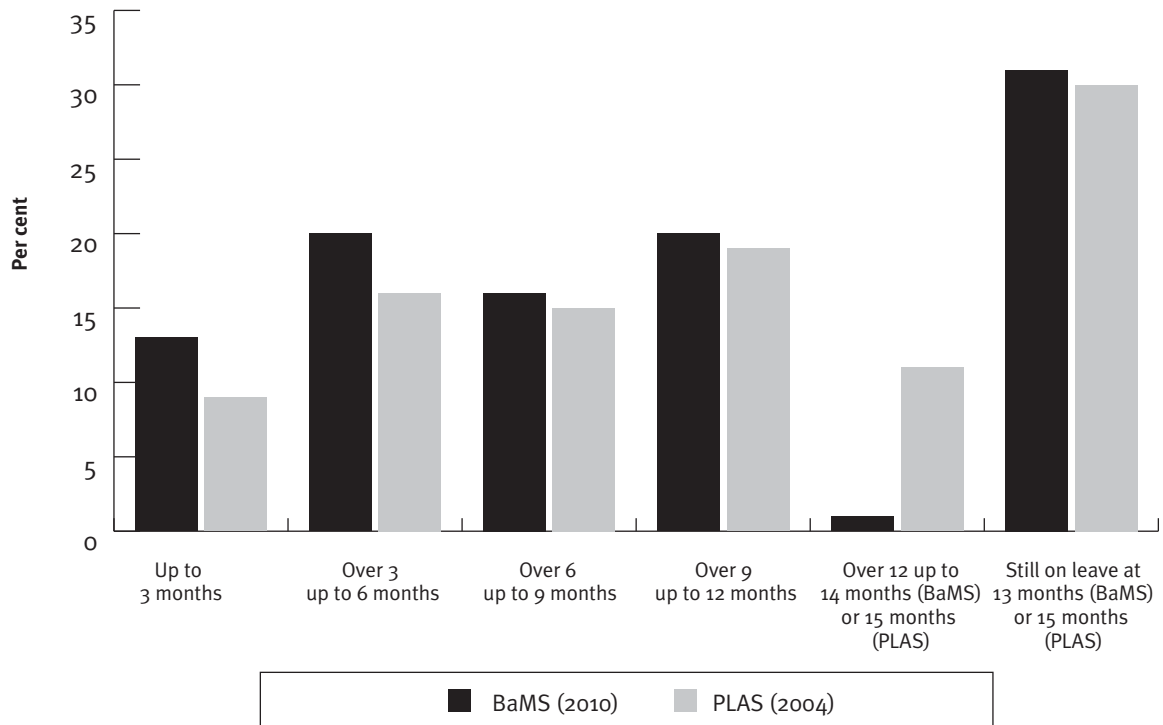
Source: BaMS

The focus of much of the existing analysis of return-to-work patterns in PLAS is on women who had worked for the 12 months before the birth of their baby, and took some leave at the time of the birth. This group is of particular interest for the current project, since a key question is the impact that PPL will have on return to work when it is added to women's existing entitlements. Comparing return-to-work patterns among leave takers in PLAS with those in BaMS allows us to assess whether the amount of time women remained out of the labour force after the birth of a child changed between 2003–04 and 2010.

Most women who took leave had returned to work by the time their babies were one year old (69 per cent in 2010 and 59 per cent in 2003–04), while only a minority (one-third in 2010 and one-quarter in 2003–04) were back at work when their babies were six months of age (Figure 3). However, between 2003–04 and 2010, there was a significant shift towards women returning to work earlier. Thus, for example, nearly half (49 per cent) of BaMS mothers who had taken leave had returned to work by the time their baby was nine months old, compared to 40 per cent of PLAS mothers.<sup>18</sup> About 30 per cent of women in both surveys had not returned to work at the time of the survey (13 to 15 months after the birth). This suggests that the faster return to work in BaMS during the first year after the birth does not translate into more mothers at work after that.

Most women who return to work go back to the job they held before their baby was born. In PLAS, of women who took leave and returned to work within 15 months of the birth, some 70 per cent went back to the same job (same position with same employer) they had held before their baby's birth. In BaMS, the equivalent figure (after 13 months) is 78 per cent (that is, 78 per cent of BaMS mothers who had returned to work within 13 months of the birth went back to the same job). This apparent increase in the likelihood that women taking leave will return to their previous job could be a product of several factors. More generous maternity leave provisions (reflected in an increased proportion of women being eligible for paid maternity leave, and an increased average length of paid maternity leave) may produce stronger connections between mothers and their employers. Employers may also have become more likely to engage in other activities to try to ensure that women return to them when they return to work.

**Figure 3: Mothers' timing of return to work, 2004 and 2010**



Note: BaMS figures weighted by state. Percentages in this figure refer to months after the birth, not leave durations.  
 Sources: BaMS, PLAS.

## 6.2 Factors affecting return-to-work patterns

In the previous section, we examined the overall return-to-work patterns of working women following the birth of a child. In this section, we focus on how these patterns vary with a range of important factors. We begin by assessing the relationship between the mothers' employment situations before the birth and their return to work. We then examine the relationship between the return-to-work pattern and access to flexible arrangements, the presence of financial pressures on the household, and mothers' personal characteristics and preferences.

### Mother's employment characteristics

BaMS provides good data on the relationship between mothers' employment situations before a baby's birth and their patterns of return to work.

Women employed on different kinds of employment contracts showed quite distinctive patterns of return to work. Thus, 85 per cent of women who had been self-employed before the birth had returned to work by the time their baby was 13 months old, and almost all went back to their old job (Table 12, Figure 4). In contrast, 71 per cent of the large majority who had held permanent jobs before the birth had returned to work by this stage, with over one-quarter of them going to a new job. Women with the most 'precarious' jobs before the birth—those in casual jobs—were least likely to have returned to work in the first 13 months of their baby's life, with only 56 per cent having done so. Those who had held fixed-term contracts before the birth were the group most likely to change jobs if they went back to work, presumably because their contracts might end at the time of the birth or while they were on leave. However, even in this group, less than half (45 per cent) of those who returned to work went back to different jobs.

As well as being more likely to return to work than other women, self-employed women also went back to work when their babies were much younger, often less than three months, than did other women. Mothers who had returned to work and had held casual jobs before the birth returned to work when their babies were, on average, about 5.5 months old. This was quite significantly younger than the age of babies when mothers with permanent jobs went back to work (average 7.2 months), despite the fact that mothers formerly in casual jobs were noticeably less likely to have returned to work. This strongly suggests that those mothers in precarious pre-birth employment (casual and, to a lesser extent, fixed term) who did go back to work may have been under more economic pressure than those who had held permanent jobs.

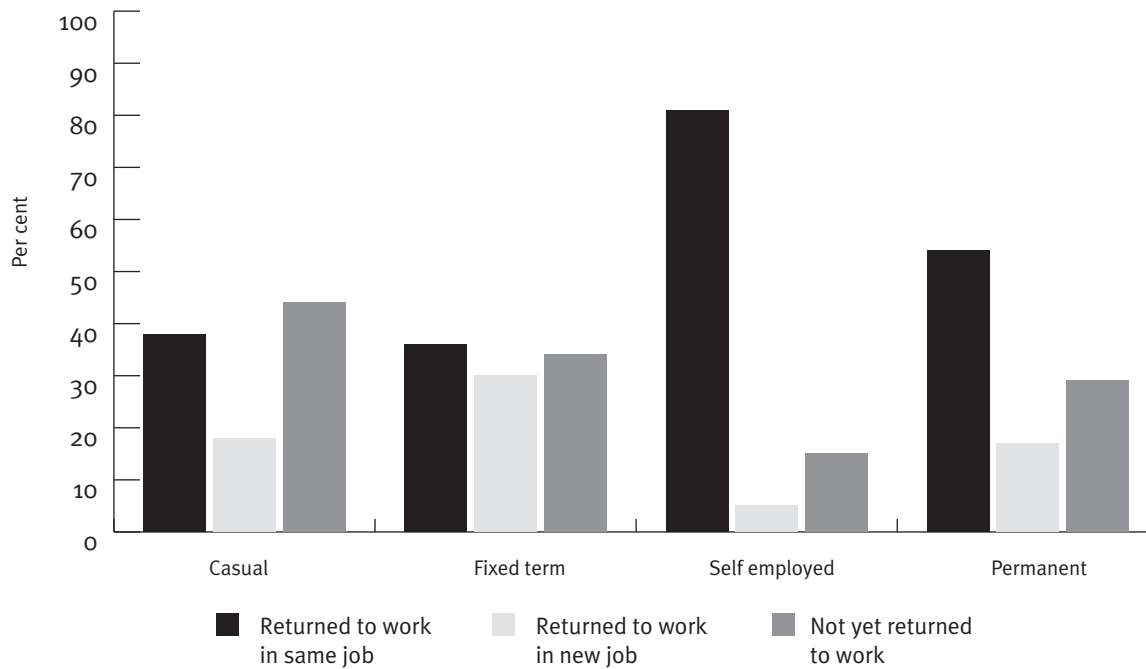
**Table 12: Mothers’ return-to-work patterns by employment contract before birth, 2010 (PPL-eligible mothers)**

Work status	Casual (%)	Fixed term (%)	Self-employed (%)	Permanent (%)	All women (%)
Returned to work in same job	38	36	81	54	53
Returned to work in new job	18	30	5	17	17
Never returned to work	44	34	15	29	30
Total	100	100	100	100	100
Mean age in months of baby at return to work	5.47	6.83	2.90	7.24	6.65
(N)	306	139	197	1892	2534

Note: Data weighted by state. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth. Total numbers may differ due to variations in non-response. Mean age of baby at return to work excludes mothers who had not returned to work at the time of the survey.

Source: BaMS

**Figure 4: Mothers’ return-to-work patterns by employment contract before birth, 2010**



The qualitative interviews with mothers echo the overall trends identified in the survey in the distinctive patterns of return to work among women on different kinds of employment contracts. Women in public- or private-sector employment who were eligible for paid parental or maternity leave almost universally took the maximum paid leave available to them, often stretching out the period of paid leave by taking it at half pay or less, and combining it with other forms of paid leave for which they were eligible, such as recreation or long service leave.

This pattern contrasts quite markedly with that of the 13 interviewees who were self-employed or employed in a family business, most of whom did not have paid maternity leave, and most of whom returned to work very soon after giving birth, often within days or a few weeks. However, the interviews reveal significant differences within the group of self-employed, and other noteworthy differences in relation to the larger sample. First, there are two main types of self-employed women in our sample. The first are the women who work with their husband or partner, parents, parents-in-law or other extended family in a relatively small family business. These women do not generally have a professional qualification (although some have a degree, or business diploma), and in our sample were primarily of CALD origin (three in Chinese families, one Italian and one Greek). The businesses in which they worked included a fruit shop, bakery, and retail businesses; the two non-CALD women in this type worked in small manufacturing, and warehouse and distribution family businesses. A striking feature of these cases is the sense of collective responsibility within the family of caring for both the new mother and the baby, so even though the mother might return to work within weeks, the baby would be looked after by other family members while the mother was engaged in work. The baby was often looked after on the business premises, and child care and the mothers' work were co-located and handled with considerable flexibility within the families.

The cultural norms regarding post-birth care of mothers and their infants were also important determinants of how, and when, the mother could return to work. For example, it is customary in China (and many other parts of the world) for new mothers to receive practical care and support with home duties such as meal preparation and cleaning for the first month after birth, allowing the mother time to recover from childbirth, establish breastfeeding and bond with the baby. The following interview excerpt describes the experience of one of the Chinese mothers in our sample who lived and worked with her extended family:

Because we're living with my parents-in-law, they helped me a lot with housework and meals. My mother-in-law cooked and looked after the baby when I had meals. So I got chances to relax. For example, if the baby cried when I was eating, my mother-in-law would take care of him.

Yes, custom, Yue Zi [the first month after birth is said to be very crucial for mothers to recover in China] only refers to one month after birth.

After one month ... The time when I finished my Yue Zi happened to be the start of the busiest season for our shop. So I returned to work after one month. But I was very lucky in that my mother-in-law and sister-in-law could look after the baby for me. As such I could look after both ... my work and my baby. [Int # 80]

In the case of the two non-CALD women working in family businesses, there is less evidence of the kind of collective responsibility for care of mother and baby seen in the other cultural groups, but nonetheless a very flexible approach to mother's work hours was clearly evident, and autonomy about managing work flow and hours. For example, when asked about flexibility to attend medical appointments, one of the women simply answered: 'I do the roster' (Int # 19).

The second type of self-employed women is those with a professional degree who had set up their own businesses. These included a private practice in speech pathology, IT contracting, a consulting business, and two graphic designers with home-based businesses. A number of these women talked about the difficulty of taking leave and described how they managed to keep the business 'bubbling along' while trying to have some leave with their newborn baby.

because I suppose being self-employed you always work. [It is] my own business. So I maintained a contract throughout my pregnancy. I would still take calls if people — because I provide a range of services, which include direct work with clients, as well as — it's therapy work as a counsellor and also consulting with large agencies. I continued to take calls and book work in for when I came back for work. So I suppose the admin was ticking over and some pieces of work were being delivered. [Int # 37]

One of the graphic designers started her own business six years before her first pregnancy. She gave birth to premature twins, yet did not completely stop working.

Well I was planning to wrap things up when I had to suddenly go in for a Caesarean. So the day that I went into hospital, I actually had been working that day, so I really had no idea that they would come so soon. So I got my husband to wrap any jobs that were still in progress. [Husband is also a graphic designer, and has since become employed in his wife’s business.]

Then my clients were quite understanding, but I was quite conscious of not letting everything drop completely because it’d be so hard to pick up again when I was ready to work again ... So I guess while the girls were young, I did little bits and pieces from home. It’s a type of business I can easily do from home and it’s nearly all done by email and whatever. [Int # 64]

Another woman, who runs her own business from home, returned to work when the baby was one week old. However, as a self-employed freelance writer she was able to exercise considerable autonomy in when she worked, and how much (Int # 40). Other professional women who established their own businesses or practices took on employees to help them with their client list as a way of both maintaining and growing the business while their families were young.

Women in casual positions in their pregnancy almost by definition had little workplace attachment, and often did not return to the same workplace after having a baby. When discussing her situation, one of the women who did administrative work talked about getting a ‘temp’ job for one day in the first instance. The job then continued, first for days, then weeks, going on for several months. During that time, the woman became pregnant, and when she was just over half way through her pregnancy, the ‘contract’ ended. Given her obvious pregnancy, she said she ‘just couldn’t be bothered looking for work’ as there seemed little likelihood of finding an employer willing to take her on (Int #115). Similarly, one of the young mothers in the sample, a 21-year-old whose work history included a number of short-term casual jobs in the private sector, became pregnant when working as a receptionist in a private-sector manufacturing firm. She was laid off in the third month of her pregnancy because the business was retracting due to the global financial crisis (GFC). She managed to find another job as a receptionist, and after working there briefly informed them of her pregnancy. Within one week, she had been laid off, ostensibly because of the GFC, although she believes her pregnancy was a contributing factor. She tried, without success, to get another job, and has not returned to the paid workforce since.

**Table 13: Mothers’ return-to-work patterns by occupation before birth, 2010 (PPL-eligible mothers)**

Work status	Mothers’ occupation before birth (%)						
	Managers	Professionals	Community and personal service	Clerical/Admin	Sales	Other	Total
Returned to work in same job	58	58	52	51	46	44	53
Returned to work in new job	17	18	15	17	18	14	17
Never returned to work	26	24	32	33	36	42	30
Total	100	100	100	100	100	100	100
Mean age (in months) of baby at return to work	6.19	7.10	6.77	6.55	5.94	5.75	6.66
	247	906	367	597	223	194	2535

Note: Data weighted by state. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth. Total numbers may differ due to variations in item non-response. Mean age of baby at return to work calculated excluding mothers who had not returned to work.

Source: BaMS

The kinds of jobs that women held before the birth are strongly associated with whether they return to work. Thus, about three-quarters of women who held professional or managerial jobs before the birth had returned to work by the time their babies were 13 months old (Table 13). By contrast, among those in occupations requiring less skill, the proportion returning to work was two-thirds or less. Among those who did return to work, the proportion going back to the same job they held before the birth varied little by occupation, with about three-quarters of women returning to the same job across all occupations.

The hours women worked before the birth of their babies had some association with their return-to-work patterns. Women who worked less than 20 hours per week were less likely to return than those who worked longer hours, with around 35 per cent of the former not returning compared to around 30 per cent of the latter (Table 14). Of women who did return to work, those with very short (under nine) and very long (50 or more) hours before the birth returned when their babies were significantly younger (5.2 months and 5.4 months respectively) than did other women (6.7 months overall average).

**Table 14 Mothers' return-to-work patterns by hours of work before birth, 2010 (PPL-eligible mothers)**

<b>Work status</b>	<b>Under 9 hours/ week (%)</b>	<b>9–19 hours/ week (%)</b>	<b>20–34 hours/ week (%)</b>	<b>35–49 hours/ week (%)</b>	<b>50 or more hours/ week (%)</b>	<b>All women (%)</b>
Returned to work in same job	47	54	54	53	48	53
Returned to work in new job	17	11	17	18	22	17
Never returned to work	36	35	29	28	30	30
Total	100	100	100	100	100	100
Mean (in months) age of baby at return to work	5.17	6.50	6.56	6.96	5.36	6.66
(N)	61	327	1049	1065	72	2575

Note: Data weighted by state. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth. Total numbers may differ due to variations in item non-response. Mean age of baby at return to work calculated excluding mothers who had not returned to work at the time of the survey.

Source: BaMS

BaMS provided some data that allows us to assess whether variation in women's experiences at work while pregnant were associated with differences in return-to-work patterns (Table 15). Women were asked whether they had experienced any problems<sup>19</sup> at work while pregnant, and whether they had received any assistance in their workplace while pregnant.<sup>20</sup> Some 15 per cent of women said that they had experienced problems in their workplace while pregnant, and 61 per cent said that they had received assistance. Those who had experienced problems were slightly less likely than those who had not experienced problems to have returned to work by the time their babies were 13 months old (64 per cent as opposed to 71 per cent). If they did return to work, mothers who had experienced problems at work were less likely to go back to the same job compared to those who had not experienced problems (67 per cent of the former compared to 77 per cent of the latter went back to the same job). In contrast, there was no association between whether mothers had received assistance in the workplace and their patterns of return to work. One interpretation of these results is that negative experiences during pregnancy make women less likely to return to work during the first year of a baby's life, while positive experiences in the workplace have little impact on return to work.

**Table 15: Mothers' return-to-work patterns by problems and supports in the workplace before birth, 2010 (PPL-eligible mothers)**

Work status	Experienced any problems in job while pregnant (%)		Received any assistance in job while pregnant (%)	
	Yes	No	Yes	No
Returned to work in same job	43	55	53	53
Returned to work in new job	21	16	16	18
Not yet returned to work	36	29	30	29
Total per cent	100	100	100	100
Total N	372	2180	1546	1006

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

### Access to flexible arrangements on return to work

Access to, and use of, flexible arrangements at work is likely to affect women's return-to-work patterns. In BaMS, women who returned to the same job they held before their baby's birth, or who returned to work in a new job, were asked whether they had used each of a number of particular arrangements or provisions. Table 16 shows that the most commonly used arrangements involved alterations to the number of hours that women worked. Thus, when asked whether they had used permanent part-time arrangements, over half of the women said that they had. Moreover, when asked whether they had used flexible hours, more than half of the women said they had used this provision. Permanent part-time work was more commonly used by those who went back to the same job but with different arrangements. The other provision related to hours (shorter hours) was also used by a large proportion of women, particularly those who returned to the job they had held before the birth but subsequently changed arrangements (45 per cent of these women used shorter hours arrangements).

Other forms of flexible arrangements—such as job sharing, working from home or bringing a child to work—were used by smaller proportions of mothers. About one-third of women used the most common of these arrangements: working from home. Around one in five mothers brought a child to work or job-shared. Only about one in 20 accessed employer-provided or assisted child care.

**Table 16: Mothers' use of arrangements or provisions in job on return to work (if changed jobs), 2010 (PPL-eligible mothers who had returned to work)**

Arrangements or provisions in job on return to work	Returned to work in same job (%)	Returned to work in new job (%)	All women who returned to work (%)
Permanent part time	61	41	54
Shorter hours	45	28	39
Flexible hours	58	55	57
Job sharing	21	15	19
Work from home	32	35	33
Employer-provided/assisted child care	5	4	4
Bring child to work	21	27	23
Total N	826	435	1261

Note: Data weighted by state. Women were asked about each arrangement or provision separately, so could say that they used as few or as many arrangements and provisions as was the case. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS



Impediments to returning to work may also be indicated by the reasons given for a job change by mothers who did not return to the job they had held before the birth. Table 17 shows that most women who changed jobs, whether or not they returned to their old job before changing, did so because they wanted shorter or more flexible hours. Less than 20 per cent changed jobs because their old job was not available, with about the same proportion seeking a different job to gain a more convenient location.

**Table 17: Mothers’ reasons for changing jobs on or following return to work, 2010 (PPL-eligible mothers)**

Reason to change job	%
Your old job was not available	17
You wanted shorter or more flexible hours	70
You wanted a more conveniently located job	18
Total N	1262

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Table shows row per cent and N. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

Women not in paid work at the time of the BaMS survey were asked why they were not currently working (Table 18). The extent to which women said they did not return to work because they could not find jobs with suitable working conditions is a useful indicator of the extent to which lack of conducive conditions impacts on mothers’ workforce participation decisions. Nearly 90 per cent of mothers in BaMS who had not returned to work said that one reason for not returning was that they preferred to be at home looking after their children themselves. For many of these women, their partner’s earnings were also an important contributing factor. Far fewer women cited lack of appropriate working conditions as a reason for not working. However, the lack of suitable child care was a reason for not working for a quarter of those who were not in paid work. Some 15 per cent said that they could not find a suitable job, while a similar proportion said that they could not negotiate suitable working conditions. In total, some 40 per cent of mothers not working at the time of BaMS cited at least one of these three reasons as contributing to their decision not to work. Thus, the inability to make the arrangements they wanted for work was a factor in many women’s decision to remain outside the paid workforce.

**Table 18: Mothers’ reasons for not returning to work before 13 months, 2010 (PPL-eligible mothers)**

Reason not in work	%
Can’t find suitable job	15
Can’t get suitable child care	24
Costs of working too high	31
Couldn’t negotiate suitable work conditions	18
Dismissed by employer	5
Made redundant	4
Prefer to be at home looking after children self	89
Partner earns enough to support family	71
Both prefer to look after children self AND partner earns enough	63
Total N	819

Note: Data weighted by state. Multiple response data—women were asked whether each reason was one of the reasons they were not in paid work. Total numbers may differ due to variations in item non-response. Table shows row per cent and N. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

### Financial pressures in the household

Financial pressures in the household undoubtedly play a role in women's decisions to return to work. BaMS asked several questions focused on this issue. Women who took some leave were asked whether they agreed with a statement that they had returned to work earlier than they would have liked because they needed the money from their jobs (Table 19). Nearly 60 per cent of those who had taken leave agreed with this statement, most quite emphatically. Only one-third indicated that financial pressure had not affected their decision to return to work. Mothers who said that they did return to work earlier than they would have liked for financial reasons commenced work when their babies were younger than those for whom financial issues were not a concern (Table 19).

There is also evidence of financial pressures among the small number of women who said they took no leave (paid or unpaid) from their jobs when their babies were born. Some 58 per cent of these women said that the financial implications for their families were a factor in their decisions to take no leave.

**Table 19: Age of baby at return to work by financial pressure on family, mothers who took leave, 2010 (PPL-eligible mothers)**

<b>'I returned to work earlier than I would have liked because I/we needed the money'</b>	<b>%</b>	<b>Mean age of baby (in months) at mother's return to work</b>
Strongly agree	38	6.30
Agree	21	7.34
Neither agree nor disagree	5	7.32
Disagree	25	7.88
Strongly disagree	10	7.90
Total N	2054	

Note: Data weighted by state. Mean age of baby at mother's return to work calculated excluding mothers who had not returned to work at the time of the survey. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

### Parents' personal characteristics, attitudes and preferences

Women's formal education and the kind of job they held before the birth are strongly associated with whether they returned to work (Tables 13 & 20). Women who did not complete high school were least likely to return to work during the first 13 months of their baby's life, with just 57 per cent doing so, while those with at least a university degree were most likely to do so (76 per cent returned). Women who had completed high school and/or attained TAFE qualifications had very similar patterns of return to work, with around two-thirds of each group returning. Among all education groups, most women returned to the same job they had held before the birth, though women with university degrees were slightly more likely to do this than those with other levels of formal education (79 per cent for the university-educated compared to 72 to 73 per cent for the other groups).

While mothers who had not completed high school were least likely to return to work, those who did return went back when their babies were younger (5.6 months on average) than other returning mothers (6.2 months for high school and TAFE graduates and 7.1 months for university graduates). This is likely to be partly because women with more education are more likely to hold jobs that entitle them to paid maternity leave, so that they are under less economic pressure to return to work quickly.

Overall, these patterns are consistent with the variation in return-to-work patterns related to the mother's pre-birth occupation, noted above (Table 13). They also closely parallel a range of Australian and international research (for example, Baxter 2009, Kuhlenkasper & Kauermann 2010), and conform to a picture in which the opportunity costs of not working have substantial effects on women's decision to return to work. In other words, there is no doubt that women with stronger labour market prospects are significantly more likely to return to work after a birth.

**Table 20: Mothers' return-to-work patterns by education level (PPL-eligible mothers)**

Work status	Level of education			
	Did not complete HS (%)	Completed HS (%)	TAFE only (%)	University Degree (%)
Returned to work in same job	41	48	48	60
Returned to work in new job	16	17	19	16
Never returned to work	43	35	33	24
Total	100	100	100	100
Average age of baby (in months) at return to work	5.57	6.23	6.23	7.11
(N)	228	434	629	1261

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth. Mean age of baby at return to work calculated excluding mothers who had not returned to work at the time of the survey.

Source: BaMS

Among the groups of special policy interest—single mothers, Indigenous mothers and CALD mothers—there are distinct patterns that differ quite sharply from those of the mainstream (Table 21). Women who were single at the time of the birth of their baby, or who had subsequently become single, were among those least likely to return to work by the time their babies were 13 months old. Indeed only half (51 per cent) had done so. Indigenous women showed a similar pattern, with 56 per cent having returned to work in the period. By contrast, 73 per cent of women from CALD had returned to work in this time, virtually the same proportion as in the whole sample. Although the differences were not large, Indigenous women who returned to work were the most likely to return to the same job as before the birth (82 per cent did so) and single women were the least likely to do so (71 per cent).

Although single women were less likely to return to work than others, those who did return tended to do so when their babies were younger. On average, the babies of single women who returned to work were about 5.9 months when they first went back to work, compared to about 6.7 months for all mothers.

**Table 21: Mothers' return-to-work patterns by special-interest status (PPL-eligible mothers)**

Work status	Culturally and Linguistically Diverse (%)	Indigenous (%)	Single now or single at birth (%)	All women (%)
	Returned to work in same job	58	46	36
Returned to work in new job	15	10	15	17
Never returned to work	28	44	49	29
Total	100	100	100	100
Mean age (in months) of baby at return to work	6.56	6.44	5.88	6.66
(N)	353	43	191	2552

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Mean age of baby at return to work calculated excluding mothers who had not returned to work at the time of the survey. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

### Attitudes and preferences

Data from BaMS indicate that women who did not return to work frequently cited a desire to look after their children as a reason for the decision not to return (Table 18). Nearly 90 per cent of women who had not returned to work by the time of the survey cited this reason. BaMS also suggests the strong interaction between this preference and family financial pressure, with 70 per cent of these mothers also saying that their partner's ability to earn enough to support the family was a factor. Many mothers' preference to spend significant time at home with their babies is further indicated by the fact that 79 per cent agreed that they would have taken longer leave if they had access to more paid maternity leave. On the other hand, some mothers were clearly thwarted in a desire to return to work earlier, with 22 per cent agreeing that lack of access to flexible work hours delayed their return to work. Moreover, lack of appropriate work arrangements was quite often a factor in women's decisions not to return to work, as noted above. Of course, the desire behind these responses to return to work earlier would have been partly affected by financial considerations, as noted above.

## 6.3 Conclusion

Mothers' workforce participation following the birth of a child has been changing over time, and is affected by a range of factors. The preliminary analyses of BaMS presented in this chapter confirm and extend patterns already observed in the relevant research literature.

BaMS data suggest that there has been a trend for Australian mothers to return to work earlier over the past half-decade or more. However, the proportion of mothers who return to work within the first 13 to 15 months of a baby's life has remained quite constant at about 70 per cent. The trend towards earlier return to work will be an important consideration in the PPL evaluation because it may mask any effect PPL has in delaying return to work.

Several factors are related to return-to-work patterns. Women who are in stronger labour market positions are more likely to return to work. Thus, those who held professional or managerial occupations before the birth and/or had completed university degrees were more likely to return to work during the first 13 months of their babies' lives than other women. Similarly, women whose positions were casual before the birth of their baby were less likely to return to work than those who had held permanent or contract jobs. However, when less advantaged mothers did return to work, they tended to go back earlier than others. This was particularly evident in the relatively early return to work of mothers who had held casual jobs, who had not completed high school or who were single.

Women who had been self-employed before the birth of their babies showed a quite distinctive pattern of very early return to work. Qualitative interviews strongly suggested that this resulted from complex and varied opportunities these mothers found to use family support in order to manage their return to work, along with their ability to work very short hours if they chose. This pattern will be closely monitored in later phases of the evaluation, since it may affect mothers' eligibility for PPL and keeping in touch provisions.

Women's experiences at work before the birth did appear to have some impact on their return to work. However, this was only the case if their experiences were negative, in which case mothers were less likely to go back to work. Mothers who reported positive support at work while pregnant were no more likely to return to work than those who did not.

When women did return to work, a desire for shorter or flexible hours was a common focus. Many women changed jobs in order to gain more conducive hours. However, an inability to find the hours mothers wanted did not actually seem to deter many women from re-entering the workforce. Most who had not returned to work cited a desire to look after their children themselves as a reason for not being in paid work at the time of the BaMS survey. A lack of suitable child care was a more commonly cited reason for not returning to work than any form of inability to negotiate suitable conditions. However, nearly a quarter of mothers said that a lack of appropriate hours had delayed their return to work.

Finally, there is little doubt that many women felt that financial pressures had influenced their decision to return to work. Nearly 80 per cent of mothers who had returned said that they would have stayed at home with their babies longer if they had had more paid leave.

## Summary: key points

In this section we have examined women's return-to-work patterns after the birth of the study child and have explored some of the underlying reasons for those patterns. We have included only those mothers who would have been eligible for the government PPL scheme if it had been available. The main findings are:

- 71 per cent of mothers had returned to work by the time their baby was 13 months old (at survey).
  - For mothers who had returned to work, the average age of their baby was 6.7 months at the time they re-entered the workforce.
  - The majority of mothers (76 per cent) returned to work in the same job.
- Of the 24 per cent who did not return to the same job, the main reason given was they wanted a job with shorter or more flexible working hours (70 per cent).
  - Of the 29 per cent of mothers who had not returned to work, the main reasons given were that they wanted to look after the child themselves (89 per cent) and that their partner earned enough money to support the family (71 per cent).
- Both the qualitative and quantitative analyses indicated that women with higher socioeconomic position and stronger attachment to their employers were more likely to have returned to work by the time their babies were 13 months old. The type of employment contract was important:
  - Only 56 per cent of women with casual employment contracts had returned to work by the time their child was 13 months old.
  - Of the women with permanent or ongoing contracts, 71 per cent had returned to work by the time their child was 13 months old; 24 per cent of those who had returned to work were in different jobs.
  - Of the women who were self-employed, 85 per cent had returned to work by the time their child was 13 months old, and they also had the shortest average leave duration of only 2.9 months.
- The majority of women in managerial or professional occupations (75 per cent) had returned to work by the time their baby was 13 months old.
- Women working 20 hours a week or more before the birth were more likely to have returned to work by the time their baby was 13 months old than women working less than 20 hours per week before the birth.
- Women with university degrees were much more likely to have returned to the workforce by the time their baby was 13 months old compared with women with lower levels of education.
- Women who had experienced problems in their job while pregnant were less likely to have returned to work by the time their baby was 13 months old, but positive experiences with employers while pregnant did not appear to affect return-to-work patterns.
- Concerns over financial pressures in the household were a key factor in women's return to work, with 59 per cent of mothers either agreeing or strongly agreeing with the statement that 'They returned to work earlier than they would have liked because I/we needed the money'.
  - Mothers who strongly agreed with this statement had returned to work earlier than mothers who did not strongly agree with this statement.
- Single mothers were less likely to return to work than other mothers.
  - Single mothers who did return to work tended to re-enter the workforce when their babies were 5.9 months old, compared to about 6.7 months old on average for other mothers.

## 7 Health and wellbeing

One of the three objectives of the PPL scheme is to improve maternal and infant health by supporting mothers to spend longer with their newborn children before returning to work. In this section of the baseline report, we focus on establishing a clear picture of the state of maternal and child health and wellbeing before the introduction of the PPL scheme. This will be the basis for comparison with mothers who use PPL following the commencement of the scheme.

There is strong evidence that mothers' health and wellbeing is improved by longer periods of paid leave before they re-enter the workforce after birth (see Section 7.2 below). Indeed, the Productivity Commission came to the view that there 'appears to be a positive relationship between the length of maternity leave in the short term and maternal health and wellbeing' (2009, Section 4.15). Evidence for a positive impact of leave on child health is largely through the effect leave length has on the period for which a baby is breastfed. There is widely accepted evidence that improved child health outcomes are associated with longer breastfeeding up to six months, though evidence for positive effects of breastfeeding beyond six months is less clear. Research evidence that parental leave has other direct effects on child health is also accumulating.

### 7.1 Existing Australian data on child and maternal health and wellbeing

At present there is no single, up-to-date data source available in Australia that would allow a definitive assessment of the impact of the PPL scheme on the health and welfare of mothers and infants. Existing data tends to be of two types. These are national perinatal and health statistics, and data from longitudinal studies.

First are national perinatal and health statistics published annually, such as the AIHW National Perinatal Statistics (Australia's Mothers and Babies 2007, cat no. PER 48), and AIHW: Australia's Health (Series no. 12, cat no. AUS 122).

These provide a comprehensive portrait of birth outcomes and certain aspects of maternal and infant health; their focuses are primarily the physical aspects of maternal and infant morbidity and mortality. They identify key risk factors for health and wellbeing such as the increasing age of first-time mothers, and the increasing rate of medical interventions in birth, most notably the rising Caesarean section rate (Laws & Sullivan 2009; AIHW 2010).

These data reveal particularly striking differences in the average age of Indigenous and non-Indigenous mothers. In 2007, the average age of Indigenous women giving birth was 25.2 years, compared with 30.1 years for non-Indigenous women (AIHW 2010). Indigenous women are also significantly less likely to have a Caesarean section.

The key risk factors for infant health revealed in these data include birth weight and gestational age. Low birth weight babies are at greater risk of poor health, disease and hospitalisation than those babies of average weight or higher. Babies born to Indigenous mothers are more than twice as likely to be low birth weight as are babies born to non-Indigenous mothers; in 2007, 12.5 per cent of Indigenous and 5.9 per cent of non-Indigenous babies were low birth weight.

However, these data do not include information on employment, leave from employment or more general measures of wellbeing, psychological health or breastfeeding patterns (Laws & Sullivan 2009). For this reason, they are of limited use in providing the detailed comparable data on maternal and infant health and wellbeing needed for this evaluation.

The second type of data of potential use to the PPL evaluation is data from national longitudinal studies such as the Australian Longitudinal Study of Women's Health, the Longitudinal Study of Australian Children (LSAC), the Longitudinal Study of Indigenous Children (LSIC), HILDA and NLC. These representative national surveys provide

extensive socio-demographic information, including employment and family life patterns. However, as discussed below, each of the data sets has limitations for evaluating the PPL scheme.

HILDA and NLC provide only limited baseline data on the health and wellbeing of parents, and both these data sets are of limited use because of the small numbers of new mothers in their samples.

LSAC and LSIC contain exceptionally high-quality measures of a number of relevant socioeconomic and employment variables, as well as family arrangements and work conditions. In addition, their particular strength is the breadth and range of health and wellbeing outcomes for large numbers of parents and infants. However, the use of this data for the PPL evaluation is limited by the time since the infants in the study were born (see Appendix D for more details on these studies).

The PLAS survey, nested in LSAC, provides unique opportunities for analysing the relation between parental leave and maternal and infant health. However, they relate to children born at least six years ago, and therefore updating with a more recent sample is necessary.

Khanam et al. (2009) combined data from PLAS and the first two waves of the LSAC to analyse the effects of maternity leave on child health. This research shows that paid parental leave and paid maternity leave have significant positive effects on child health. Their analyses show that mothers who take paid leave are significantly more likely to initiate breastfeeding, and to breastfeed for longer. In addition, the children of mothers who take paid leave are less likely to suffer from asthma and bronchiolitis, and their immunisation status is more likely to be up to date (Khanam et al. 2009).

Further analyses of these data by Whitehouse et al. (personal communication) indicate that Australian mothers who took more than 13 weeks of paid leave, and those who took a total leave period of more than 26 weeks (but not more than 52) were significantly less likely than those who took shorter periods of leave to report mental distress in the subsequent wave of LSAC data collection.

Overall, despite the quality and breadth of these data sets, they relate to children born at least seven years before the introduction of the PPL scheme. An adequate baseline for the PPL evaluation requires information from a sample of parents whose children were born more recently than those in the LSAC and PLAS studies.

## 7.2 Indicators of infant health and wellbeing

### Breastfeeding initiation and duration—results from BaMS

Breastfeeding has been identified as important to the health and wellbeing of infants, with measurable cost savings to the health care system (Smith & Thompson 2002), and with positive outcomes for the mother–child relationship. Both the World Health Organization (WHO) and the National Health and Medical Research Council (NHMRC) recommend exclusive breastfeeding for six months, and continued breastfeeding through toddlerhood (NHMRC 2003). Although the rates of breastfeeding initiation are relatively high in Australia at around 90 per cent, fewer than half of Australian infants are still breastfed at six months (ABS 2003).

One of the clear benefits of PPL is that it enables a period of time at home after the birth of a child. The availability of **time** enhances the potential for prolonged breastfeeding, given that breastfeeding is a time-intensive activity. It also facilitates the conditions for successful attachment and bonding between parents and infant.

We investigate some of these issues using BaMS. In Table 22 we examine breastfeeding initiation and duration by access to paid leave and return-to-work timing and patterns. The first panel of the table shows that the majority of children were breastfed (94 per cent). This did not vary much depending on whether the mother had paid leave or how many months of paid leave she took. A higher proportion of children were still being breastfed by mothers still on leave after 13 months (32 per cent) compared with those whose mothers had shorter periods of leave (22 to 26 per cent). There was also some variation by paid leave in the average number of weeks that children were breastfed. The average number of weeks that children were breastfed was 24 weeks, although those women with no paid leave breastfed for the shortest period of 22 weeks, and those still on leave breastfed for an average of nearly 25 weeks. Overall, whether mothers had paid leave had little impact on whether the child was breastfed, though it had a small impact on whether the child was still being breastfed and the length of time they were breastfed.

The age of their babies when mothers returned to work was associated with breastfeeding patterns, most strikingly in whether the child was still being breastfed at the time of the survey and in the length of breastfeeding. Thus, the proportion of mothers still breastfeeding their babies was just over 30 per cent among those who had not returned to work or who had returned to work when their babies were at least one year old, compared with about 20 per cent for the large group returning to work when their babies were between three and nine months old. In a similar trend, mothers who returned to work when their babies were between one and six months old had average breastfeeding periods of about 20 weeks compared to nearly 27 weeks for those who returned when their infants were nine to 12 months old. Interestingly, mothers who had not returned to work displayed average breastfeeding lengths of 23 weeks, lower than those of women who had returned to work when infants were six months or more. Overall, these patterns clearly show that mothers who took longer before returning to the workforce tended to breastfeed for longer.

**Table 22: Breastfeeding initiation and duration by access to paid leave and return-to-work timing and patterns (PPL-eligible mothers)**

	Was study child ever breastfed?		Is child still being breastfed?		Weeks breastfed	
	Yes (%)	N <sup>(a)</sup>	Yes (%)	N	Mean	N
Months of paid leave						
No leave	93	905	26	846	22.32	(900)
Less than 3	92	494	22	455	24.04	(529)
3 to 6	95	465	25	440	26.55	(508)
6 or more	96	301	22	289	24.05	(325)
Still on leave (13+ months)	93	413	32	385	24.93	(325)
Total	94	2578	26	2415	24.05	(2587)
Study child age at return to work						
Less than 1 month	92	115	23	106	22.60	(115)
1 to less than 3 months	92	174	23	161	20.27	(167)
3 to less than 6 months	92	394	19	361	20.88	(402)
6 to less than 9 months	92	487	20	448	24.71	(497)
9 to less than 12 months	97	480	26	463	26.91	(486)
12+ months	96	168	35	162	29.94	(171)
Not returned to work (13+ months)	94	759	31	713	23.34	(749)
Total	94	2578	26	2415	24.05	(2587)
Return-to-work status						
Returned to work in same job	94	1356	24	1271	23.82	(1374)
Returned to work in new job	94	435	22	408	25.96	(436)
Not yet returned to work (13+ months)	94	759	31	713	23.34	(749)
Total	94	2551	26	2392	24.07	(2559)

(a) N = total number

Note: Data weighted by state. Total numbers may differ due to variations in item non-response.

Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS



Some mothers did believe that limited leave had affected their ability to establish breastfeeding. Some 14 per cent of BaMS respondents who had taken some leave agreed with the statement that 'My leave wasn't long enough to establish breastfeeding'.

### **Breastfeeding initiation and duration — qualitative interview results**

The BaMS results show high rates of breastfeeding initiation at 94 per cent, and a wide range in the duration of breastfeeding. Preliminary analysis of the interview data suggests that a combination of several factors seem to be related to duration of breastfeeding. These include the time of returning to work; flexibility at the workplace; psychological health and wellbeing of the mother; social norms and mothers' attitude towards breastfeeding; and practical support from family and other sources. While the qualitative interviews reiterate the overall survey findings of an association between the timing of return to work and the duration of breastfeeding, the greater detail available in the interviews reveals some of the complexities in this relationship. We discuss these findings separately for the Indigenous and non-Indigenous interviewees.

#### *Breastfeeding initiation, duration and return to work: non-Indigenous mothers*

Of the 92 interviews with non-Indigenous mothers, relevant data on all aspects of return to work and duration of breastfeeding are available for 88 mothers. Of these, three women did not initiate breastfeeding (one because she gave birth to premature triplets; another whose child was unable to breastfeed due to the infant's medical condition). Therefore, the number of non-Indigenous women who initiated breastfeeding and for whom all relevant data are available is 85.

Of our interviewees, 24 mothers had not yet returned to work at the time of the interview. The duration of breastfeeding was extremely high in this group of women; 18 of the 24 mothers (75 per cent) who had not yet returned to work breastfed their babies for nine months or longer; indeed, 17 of the 18 women in this group breastfed for 12 months or more. Of the remaining six mothers who had not returned to work, one, the mother of triplets, had not initiated breastfeeding. The remaining five mothers breastfed their babies for between three and seven months.

Of the 61 women who had returned to work at the time of interview, 22 (36 per cent) stopped breastfeeding within six to eight weeks of their return to work. All of these women were employees, and a number of them either weaned their babies in preparation for their return to work, or found it too difficult to sustain breastfeeding once they had returned to work. This relationship between the timing of return to work and the cessation of breastfeeding was not evident among the 15 self-employed interviewees. Most of the self-employed mothers returned to work when their babies were quite young, but nonetheless often maintained breastfeeding for long periods. As discussed above, the flexibility and autonomy these women may enjoy, coupled with family support in the workplace, are important factors which enable these mothers to keep breastfeeding. For example, one of the self-employed mothers had to return to work four months after the birth. However, she could choose to work three to four hours per day and express milk whenever she needed to (Int # 19). In one exceptional case, where a self-employed mother returned to work immediately after the birth, she was able to keep breastfeeding because she had an office at home and managed to organise her work around the needs of her children (Int # 40). Two other women serve as further examples of mothers who returned to work early (both went back to work when their babies were two months old), yet were still breastfeeding at 14 months when the interview was conducted. One is a professional woman with her own clinical practice:

I guess one thing that is probably worthwhile mentioning is I was back to work part time, just in my own business, when she was eight weeks, so fairly early. Again, I had the flexibility. That was why I set that up for myself where I could just go and work at a clinic in the afternoon. I see the majority of my clients. She was sleeping most of that time. [Int # 17]

The other, a CALD woman, works in a family business; children are brought to the business, have space in which to play, and are looked after by extended family when the mother is unable to do so.

I was happy to get back into the swing of things ... But when there is a customer, I would deal with that. But there is a section at work where the kids do play and they have toys and there's a bed there for the baby. [Int # 33]

In contrast, for women who were employees, early return to work often made the continuation of breastfeeding difficult unless they had a lot of flexibility in when and where they work. Many women spoke of the difficulties of expressing milk once back at work, and rarely were women able to sustain exclusive breastfeeding after return to work as an employee. Where women had a strong commitment to maintaining breastfeeding, they generally used formula feeds and supplemented these with breast feeds when home from work. One of the CALD women, who returned to work when her baby was five months old, introduced formula soon after returning to work. Although she has kept on breastfeeding the child until 13 months of age, she does so on a part-time basis:

**Interviewee:** I tried to express milk in the [evening] but it was not working well. Because she used to drink the whole day and then when I have to go for night shift I wouldn't get any milk to express. So we started her on formula. When I am at home I give her my milk—breastfeed—and when I'm at work she feeds on the bottle.

**Facilitator:** So until you went to work though, from the time she was born, you gave her your milk and she fed well?

**Interviewee:** Yeah.

**Facilitator:** So are you still breastfeeding her now?

**Interviewee:** Yeah. Not in a big way, because she eats other food, so just a little bit. [Int # 049]

Even where workplaces had a formal commitment to encouraging breastfeeding or enabling women to express milk while at work by providing mothers with space and privacy to express milk at work, doing so was still difficult. One of the mothers, who worked in a health department which promotes breast feeding, concluded the informal culture was at odds with the formal culture. She described her difficulties in sustaining breastfeeding once she had returned to work (her child was close to 12 months of age when she returned to work).

I've actually—when I returned to work—been combining expressing and back to work. Despite working in the area of health that's actually promoting this and everything's there to say that it's a good idea and that it should be done, in reality it's—almost nobody does it. I feel like a freak actually. [Int # 5]

In another similar case, a mother returned to work in the public sector when her baby was 10 months old and was still being breastfed several times a day. Within a few weeks of being back at work, she had abandoned breastfeeding.

Yeah, until 11 months, so I had only a short time really. I took like my breast pump to work and I was trying to express there, but there wasn't a specific room for it in my office and it was a pretty vulnerable position to be in. Not wanting to tell the entire office I am in here breastfeeding, but then frightened that someone is going to walk in the door. That was really awful.

So I think trying to get up and express at five o'clock in the morning was really hard and so I don't know if that possibly affected my supply, but it was only one day a week and I couldn't express enough for her to be able to have breast milk at child care, so I had to use formula. So I wasn't that happy about that, but you do what you do. [Int # 30]

While many factors seem to impinge on the duration of breastfeeding, the interviews, like the survey data, show a connection between when women return to work and the cessation of breastfeeding. In a great number of cases, women weaned their babies at around the time of their return to work. The notable exceptions are the self-employed women as discussed above, and women who, for other reasons, have considerable autonomy over their work schedule. One example of this is a mother who was completing her PhD at the time of her pregnancy and birth. She was eligible for three months' paid leave, after which she returned to her studies on a part-time basis. Despite her reasonably early return to work, she had considerable flexibility and autonomy over her work schedule, and maintained breastfeeding for 15 months.

### *Breastfeeding initiation, duration and return to work: Indigenous mothers*

The duration of breastfeeding among Indigenous women was significantly shorter than among the non-Indigenous women interviewed. Of the 16 Indigenous women interviewed, two had not initiated breastfeeding (one because her twins were premature and formula-fed from the time they were in intensive care; the other was an adoptive mother), and of the others, only four breastfed their babies for six months or more. These differences notwithstanding, similar patterns of association between the timing of return to work and the duration of breastfeeding were evident for Indigenous and non-Indigenous women alike. Five of the Indigenous

women had not returned to work at the time of the interview, and all four women who breastfed their babies for six months or longer are in this group.

Of the seven women who had returned to work, four stopped breastfeeding within six to eight weeks of returning to work. As with the non-Indigenous interviewees, this close temporal association is often described in terms of the difficulties of maintaining breastfeeding while working. One of the Indigenous women returned to her job as a schoolteacher when her baby was seven months old. After her return to work, she expressed breast milk when at work and in the evenings, then gradually introduced formula. She found it increasingly difficult to maintain breastfeeding; she said it got to a point where it was difficult to express during the day, especially with playground duty, and with limited time and suitable locations (Int # 92). Another Indigenous woman, an employment consultant in the public sector, switched to breastfeeding only at night once she returned to work. She did this because she did not want to express at work; she felt uncomfortable about doing so because of the number of clients in her workplace (Int # 89).

As discussed elsewhere, the Indigenous women's employment patterns, including access to paid leave, are quite different from those of the non-Indigenous women. None of the Indigenous women described themselves as self-employed (although one woman had started working for a family business), and as a group they had considerably less flexibility and autonomy in the workplace.

### *Why do women stop breastfeeding early?*

Of the 85 non-Indigenous women who initiated breastfeeding and for whom all relevant data is available, 17 stopped breastfeeding before their babies were four months of age. The patterns indicate that more than half the interviewees who stopped breastfeeding early had significant health (mental) or social problems (primarily separation from partner). In other words, the single largest group of women who did not persist with breastfeeding beyond a few weeks post-birth were women with significant mental health and/or social problems. Very early return to work where women did not have flexible work arrangements, and among women who were casual employees, was another factor which seems to influence the short duration of breastfeeding.

Among the Indigenous women, there was little mention of postnatal depression (PND) as such. However, the stresses and strains of unstable relationships and financial pressures contributed to the early cessation of breastfeeding among Indigenous women as with the non-Indigenous.

Also common to both groups of women are the wider range of reasons for discontinuation of breastfeeding. These include insufficient milk, baby not gaining weight, problems with feeding, cracked nipples and mastitis. For example, one of the interviewees said:

**Interviewee:** Yes, very dwindled and then I got mastitis probably twice, yes, two times. So then we sort of went— it was just getting too stressful and yes, we moved over [to formula]. Best thing we ever did.

**Facilitator:** Yes and how's the baby been?

**Interviewee:** Yes, he's flourished. (Int # 24)

Some women simply did not like breastfeeding, saying they found it 'horrible', 'stressful', 'painful' and so on. One of the Indigenous women who stopped breastfeeding at three weeks said, 'They need to tell you it's not easy' (Int # 96). Others attributed the early cessation of breastfeeding to their baby's refusal to breastfeed. For example, one mother said her baby 'decided he wasn't breastfeeding anymore' when he was two-and-a-half months old and hence she had to give the baby expressed breast milk in a bottle and went to formula at four-and-a-half months (Int # 21). Another woman changed to formula when her baby was three weeks old because it was too stressful.

The time-consuming nature of breastfeeding and the constraints it places on the mother were cited occasionally. For example, one of the mothers had experienced considerable difficulty breastfeeding her first child, and when she experienced similar problems with the second child, she gave up, saying she just didn't have time to sit on the couch all day trying to get the baby to attach when she had a toddler running around.

The interviews also reveal the importance of cultural norms and practices, as well as personal attitudes in shaping women's resolve to breastfeed. For example, one of the mothers, who came from Ireland, was 'quite happy' with weaning the baby onto formula at three months because 'In Ireland they tend—where I'm from—three or four months is regarded as good' (Int # 61). She had not returned to work, and said she had found the whole process of breastfeeding 'tough':

I did find it tough enough. I didn't have anyone breastfeeding in the family like my mother or anybody. So I'd never seen it so I was uncomfortable breast feeding when I was out. Whereas I think if I had seen people in my family do it maybe that wouldn't have been an issue. [Int # 61]

This woman also spoke of the social pressure she felt in Australia, because 'in Australia, people seem to more typically breastfeed for six months or so'.

Similarly, a woman whose parents came out from England after the baby was born, ceased breastfeeding at two months. For this woman, a number of factors appear to have been involved in the timing of her cessation of breastfeeding. She experienced considerable difficulty in getting the baby to 'latch' on; she also felt uncomfortable about breastfeeding at a psycho-social level as well as physically; and she also experienced guilt and depression. This woman had no personal experience of breastfeeding: neither her mother nor other family relatives had breastfed their children, and describes her experience as follows:

I breastfed him for the first — I think it was about the first eight weeks and I had a lot of problems so I couldn't continue with it. My parents were here at the time and they were—they were quite—they were trying to be quite supportive but my mum, she never breastfed so she didn't quite understand and, like, the midwives put a lot of pressure on me to continue with it and I really wanted to do it and I was putting a lot of pressure on myself, and it got to the point where it was just getting really out of control.

I couldn't go anywhere or do anything, and I don't know, maybe that's normal? I don't know for breastfeeding, but because he's like my first child, I didn't know what to compare it to. I then went to express for a while, but then we had some other visitors as well which made it even harder to do that. And then that got really difficult too so in the end I just went on to a formula, which was a really good decision but at the time I felt really guilty for quite a long time.

Now looking back on it, I think, oh, I don't know why I felt so guilty because I did get postnatal depression. I think it was all—well it feels like it was all triggered from that but I don't think it was. I think that was just added to it, made it a lot worse really. [Int # 53]

In a very different example of cultural norms and expectations, one of the CALD mothers, a university-educated woman of Vietnamese origin, had to defend her decision to breastfeed to her mother-in-law who visited from Vietnam in the first month after the birth. Her mother-in-law encouraged bottle feeding because the current preference in Vietnam is to give babies formula so that one will get a much desired 'chubby baby' (Int # 77).

### *Mothers' attitudes towards breastfeeding*

The interviews also indicate that mothers' attitudes towards breastfeeding are related to the duration of breastfeeding. Indeed some of the mothers we interviewed were passionate advocates of breastfeeding, and discussed the WHO's recommendation in relation to breastfeeding.

Well the World Health Organization recommends you do it until two, and I wanted to do that. I did it for [the baby] and I thought I'll do it for my others. It's lovely, I really love it. It's just so special.

I just think that Australia's rates of breastfeeding are shameful, woeful. That's not right for babies, it's not right for mums. Breastfeeding's so good for you physically; it protects you against breast cancer; it takes all the weight off that you might have put on during pregnancy. The endorphins are lovely; it's the right food for the baby. (Int # 40)

Some mothers were determined to persevere through breastfeeding difficulties. For example:

I had sore nipples and things like that because the first few days, I was just so determined to breastfeed him and I was so happy that he was sucking, that it didn't really worry me too much whether it was hurting.

Then obviously I regretted that because I did have a lot of sort of cracked nipples and things in the first couple of weeks. I just sort of worked through that just by, you know, changing sides and then making sure he was on properly. [Int # 36]

In another case, a mother who took 12 months' leave from her employment described breastfeeding as:

It's the best thing I've ever done. Both mother and child have to figure out how to do it and it's hard work and it takes dedication and there were some times there where I wanted to stop, but the health and wellbeing of my child and the tenderness of the actual action itself just prevailed over any selfish reasons of wanting to go out and not feeling obliged to feed him. [Int # 20]

### **Other indicators of infant health and wellbeing**

Well-established indicators of child–infant health include whether a child is up to date with immunisations, and whether an infant has had an illness lasting for one week or more. These indicators are widely used (for example, Berger, Hill & Waldfogel 2005; Khanam et al. 2009; and Tanaka 2005). BaMS collected data on both of these issues.

In general, rates of up-to-date child immunisation are quite high, with 90 per cent of mothers in the BaMS sample reporting that their babies are appropriately immunised (Table 23). Length of paid leave is associated with some variation in immunisation rates, with longer leave being associated with somewhat higher up-to-date immunisation rates. Thus, 88 per cent of mothers who took no paid leave reported up-to-date immunisation compared to 94 per cent of those still on leave. Patterns of return to work also related to immunisation rates, with a particular tendency for mothers who returned to work in under three months to be somewhat less likely to have babies with up-to-date immunisation than those who returned when their babies were older. On the other hand, there was no relationship between immunisation and whether women returned to the same job, a different job, or had not returned to work.

Some 42 per cent of BaMS mothers reported that their baby had experienced an illness of one week or more by the time it was 13 months old (Table 23). Women who had taken no paid leave or were still on paid leave were somewhat less likely to report their baby had experienced such illnesses compared with other mothers. Mothers who returned to work when their babies were less than one month old were least likely to say that their child had experienced an illness of one week or more. However, for other mothers there was no association between when they returned to work and the likelihood they would report such an illness. Similarly, whether women returned to the same or a different job, or had not gone back to work was not associated with whether their child had experienced a week-long illness.

**Table 23: Immunisation and illness of study child by paid leave, age of child at return to work, and return-to-work status**

	Child up to date on immunisations		Child had an illness for one week or more	
	Yes (%)	Number	Yes (%)	Number
Months of all types of paid leave				
No leave	88	905	38	905
Less than 3	89	494	45	493
3 to 6	89	465	45	465
6 or more	92	301	47	300
Still on leave (13+ months)	94	413	38	413
Total	90	2578	42	2576
Study child age at return to work				
Less than 1 month	82	115	30	115
1 to less than 3 months	84	174	42	174
3 to less than 6 months	89	394	44	394
6 to less than 9 months	92	487	41	487
9 to less than 12 months	92	480	44	479
12+ months	90	168	42	168
Not returned to work (13+ months)	91	759	41	759
Total	90	2578	42	2576
Simple return-to-work status				
Returned to work in same job	90	1356	41	1355
Returned to work in new job	90	435	46	435
Not yet returned to work (13+ months)	91	759	41	759
Total	90	2551	42	2549

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

Another useful indicator of infant health is a mother's assessment of the child's general health. BaMS data show that 70 per cent of mothers assessed their child's health as 'excellent', with only 8 per cent regarding it as 'fair' or 'poor' (Table 24). There was no association between length of leave and mothers' assessment of their babies' health. However, mothers who returned to work when their child was less than one month old, or who had not returned to work at the time of the survey, viewed their baby's health somewhat more positively than other mothers. Thus, 74 per cent of those in these two groups regarded their baby's health as 'excellent', compared with about 64 to 68 per cent of other mothers.<sup>21</sup> Mothers who returned to the same job were also somewhat less likely to assess their baby's health as 'excellent' (66 per cent) compared to those who returned to work in a new job (73 per cent) or had not returned to work at the time of the survey (74 per cent).

**Table 24: Study child general health (per cent reported by mother<sup>(a)</sup>) by paid leave, age of child at return to work, and return-to-work status**

	Study child general health				Total
	Excellent	Very good	Good	Fair/Poor	
Months of all types of paid leave					
No leave	71	20	8	1	905
Less than 3	69	21	9	1	494
3 to 6	68	22	7	3	465
6 or more	68	22	7	3	301
Still on leave (13+ months)	69	23	8	1	413
Total N	70	21	8	2	2578
Study child age at return to work					
Less than 1 month	74	17	3	5	115
1 to less than 3 months	66	24	10	0	174
3 to less than 6 months	67	22	8	2	394
6 to less than 9 months	68	24	7	1	487
9 to less than 12 months	68	22	9	2	480
12+ months	64	25	8	3	168
Not returned to work (13+ months)	74	18	7	1	759
Total N	70	21	8	2	2578
Simple return-to-work status					
Returned to work in same job	66	24	9	2	1356
Returned to work in new job	73	19	5	3	435
Not yet returned to work (13+ months)	74	18	7	1	759
Total N	70	21	8	2	2551

(a) Table shows per cent of mothers who rated their child's health as excellent, very good, good, and fair or poor within each group. Thus, 71 per cent of mothers who took no paid leave rated their child's health excellent. The total is the number of cases in each group.

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

Overall, these patterns indicate some association between these child health measures and return-to-work patterns. However, the patterns are not consistent across measures of child health, suggesting that the associations are weak, at best. Most consistently, mothers who returned to work when their child was less than one month old were less likely to report that their child had experienced an illness of one week or more and more likely to see their child as being in 'excellent' health compared with other mothers. This very small group (less than 5 per cent of the 'eligible' BaMS sample) is unlikely to represent wider trends well. For most mothers in BaMS, it appears that leave taking and return-to-work patterns are not significantly associated with these child health outcomes.

## 7.3 Indicators of maternal health and wellbeing

### Physical health of mothers

The international evidence from aggregate OECD data (Tanaka 2005; Ruhm 2000) and from specific cases which test for the effects of paid parental leave (for example, Baker & Milligan 2007; Guendelman et al. 2009) indicates a strong relationship between paid maternity leave and the likelihood of initiating and persisting with breastfeeding. Conversely, existing research demonstrates a number of negative associations between early return to work following childbirth and the health and wellbeing of mothers and infants (Productivity Commission 2009; Baxter et al. 2007; McGovern et al. 2007; Hawkins et al. 2009; Gregg et al. 2005). Some of the negative outcomes of early return to work for mothers include:

- poorer physical health and wellbeing (exhaustion, tiredness, backache)
- poorer mental health (anxiety and depression)
- feelings of stress, time pressure, and work–family strains
- premature cessation of breastfeeding, and/or failure to establish breastfeeding.

These indicators of maternal health are in turn risk factors for infant health, development and wellbeing. The adverse consequences for infants may include:

- greater propensity to a range of physical illnesses and lowered immunity
- greater need for medical care and attention
- less likely to receive timely vaccinations
- poorer cognitive and other developmental outcomes.

Although Australian perinatal and survey data such as HILDA and NLC contain some measures of health and wellbeing, due to the limitations of these data sets noted above, the PPL evaluation data will primarily use measures of maternal health and wellbeing currently used in the LSAC. These include data regarding birth, measures of self-rated health, feelings of stress, time pressure, and satisfaction with life, quality of marital relationships, and physical and psychological health.

BaMS asked mothers about their experience of several health issues that are widely viewed as key indicators of general health (for example, McGovern et al. 2007; Thompson et al. 2002). These were:

- back pain or back ache
- headache or migraine
- coughs or colds
- postnatal depression.

In general, we found that there was little or no association between these symptoms and leave taking or return-to-work patterns. (For reference we have included four tables in Appendix C that examine the associations between each of these symptoms and leave taking and return-to-work patterns).

BaMS included questions that make up well-validated scales measuring physical and mental health, the SF-12 scale. The SF-12 provides a valid and reliable measure of overall physical health. Results from BaMS in relation to the physical health dimension of the SF-12 confirm the general picture from the above single items. The SF-12 shows negligible variation in mothers' reported health according to the length of time they spent on parental leave or the age of their child when they returned to work (Table 25).



**Table 25: Physical health of mothers (SF-12) and paid-leave duration, and timing of return to work**

	Mean physical health score
Months of all types of paid leave	
None	3.49
Less than 3 months	3.51
3 to less than 6 months	3.50
More than 6 months	3.54
Still on leave (13+ months)	3.49
N	2579
Age of child when returned to work	
Less than 1 month	3.51
1 to less than 3 months	3.50
3 to less than 6 months	3.49
6 to less than 9 months	3.49
9 to less than 12 months	3.54
12+ months	3.56
Still not back at work (13+ months)	3.48
N	2579

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

### **Mental health of mothers**

As noted above, there is existing research to suggest that mothers who return to work earlier tend to suffer poorer mental health outcomes than those who return to work later. However, there are no recent Australian studies to test this finding. BaMS contained two types of measures of mental health. The first was a single question asking respondents how often they suffered from postnatal depression (Table C4), and the second is the mental health scale drawn from the SF-12 items (Table 26).

Neither the postnatal depression measure (see Appendix C) nor the SF-12 mental health score show any variation by the amount of paid leave mothers took or the age of their babies when they returned to work.

**Table 26: Mental health of mothers (SF-12) and paid-leave duration, and timing of return to work**

	Mean Mental Health Score
Months of all types of paid leave	
None	4.12
Less than 3 months	4.17
3 to less than 6 months	4.15
More than 6 months	4.17
Still on leave (13+ months)	4.17
N	2579
Age of child when returned to work	
Less than 1 month	4.12
1 to less than 3 months	4.12
3 to less than 6 months	4.12
6 to less than 9 months	4.18
9 to less than 12 months	4.15
12+ months	4.15
Still not back at work (13+ months)	4.14
N	2579

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

### Mothers' health—evidence from qualitative interviews

In the face-to-face interviews we asked women to rate their overall health at two points in time: before they were pregnant and now in order to assess the perceived impact of having a baby on women's health. We asked them to rate their health on a scale of 1 to 10, where 10 was the best possible health, and 1 the worst possible health. Of the 89 women who gave scores, 50.5 per cent rated their health as worse now than before they were pregnant, 37 per cent rated their health as about the same, and 12 per cent rated their health as better.

The self-rating of health was associated with the women's employment arrangements, with quite distinct patterns of rating between the three groups. Of the small number of self-employed women (N=14), almost two-thirds (64 per cent) rated their health as either better now (7 per cent) or about the same (57 per cent). Of women in the public sector (N=33), just over half (51 per cent) rated their health as better now (15 per cent) or about the same (36 per cent). Women in the private sector fared worst in terms of their perceived health now, with considerably less than half (43 per cent) rating their health now as better (13 per cent) or about the same (30 per cent).

The most widespread, indeed almost ubiquitous health concern almost all women referred to was tiredness, fatigue and in some cases exhaustion. Women spontaneously raised a wide range of other health problems in interview, including:

- stress
- weight gain or inability to lose weight
- depression—from feeling low to diagnosed postnatal depression
- complications of pregnancy: gestational diabetes; thyroid problem

- complications of birthing—perineal tear; haemorrhoids; complications of Caesarean deliveries
- complications associated with breastfeeding: mastitis; fungal infections
- problems with contraception (bleeding from contraceptive implant)
- lowered resistance to infections—pick up colds, coughs, infections, skin problems
- back pain
- sore joints/aches.

The interviews also generated considerable data about the wellbeing of women and their families. Responding to questions about wellbeing, women referred to:

- problems adjusting to the psychological pressure of being a first-time new parent: ‘that awesome responsibility for somebody else that’s ever present in every moment’
- lack of time—to exercise, find time for ‘me’
- strain on marital relationship.

## 7.4 Conclusion

Enhancing the health and wellbeing outcomes for mothers and babies is an important policy goal of the PPL scheme. In this section of the report we have outlined the baseline data available for the evaluation about the relationship between these outcomes and leave taking and return to work. The analysis focuses on simple relationships, though results indicate that patterns are complex.

With regard to child health, breastfeeding patterns are a key proxy indicator of babies’ long-term health. BaMS confirmed that the vast majority of Australian mothers breastfeed for some period. It also clearly showed that the length of breastfeeding is strongly associated with when mothers return to work. Thus, on average, mothers who return to work when their babies are six to nine months old breastfeed for about seven weeks longer than the 20 weeks for mothers who return earlier. The qualitative interview data illuminated this relationship, emphasising the complex but strong relationship between mothers’ experiences returning to work and their breastfeeding.

More direct indicators of babies’ health were less decisive in showing a relationship between return-to-work patterns and health. Nevertheless, babies whose mothers had not returned to work, along with those whose mothers returned when babies were very young, appeared slightly more likely to have their health assessed as ‘excellent’ by their mothers than others.<sup>22</sup> Most mothers said that their babies’ immunisations were up to date, though those who returned to work very early were slightly less likely to say this was so.

BaMS showed little clear relationship between mothers’ health and simple measures of paid-leave usage and return to work. On our most sophisticated measures, the SF-12 scales, there was no discernible relationship at all. Despite these findings, the qualitative interviews suggested many mothers saw significant impacts of motherhood on their health. These interviews also suggested important areas for future examination of the impact of employment on mothers’ health, and will likely be investigated in later phases of the evaluation.

## Summary: key points

In this section we have examined the links between the health and wellbeing of mothers and infants and the uptake of leave around the birth of the study child. We examine several indicators of infant wellbeing including establishment and duration of breastfeeding, immunisation and overall general health.

### *Breastfeeding:*

- ▶ 94 per cent of mothers breastfed their babies after birth:
  - The average duration of breastfeeding for all mothers was 24 weeks (which is close to the recommended 6 months).
  - Women still on leave were more likely to be still breastfeeding than mothers who had returned to work.
  - Women whose babies were nine months or older when they returned to work were more likely to be still breastfeeding.
- ▶ The interviews suggest that:
  - the duration of breastfeeding is influenced strongly by the timing of return to work
  - the culture of the workplace is important for continuation of breastfeeding after return to work
  - duration of breastfeeding was also diminished in the case of relationship stress or dissolution or postnatal depression
  - cultural norms and expectations were also important for duration of breastfeeding.

### *Immunisations:*

- ▶ Mothers still on leave or who had longer leave durations were more likely to be up to date with their immunisations.
- ▶ Mothers whose child was older when they returned to work were more likely to be up to date:
  - Of mothers who returned to work when their child was less than a month old, 18 per cent were not up to date with immunisations.

### *General health:*

- ▶ Mothers who returned to work early and mothers who were still not back at work were more likely to report their child was in excellent health and had not had an illness that lasted more than one week.
- ▶ Mothers who had returned to work in the same job were less likely to report their child was in excellent health compared to mothers who changed jobs or who had still not returned to work.

We also examined a range of health and wellbeing measures for mothers. Overall there was no consistent difference in the mental and physical health of mothers depending on whether they took paid leave, the duration of the leave, and their return to work.

- ▶ Qualitative interviews suggest that about half of the mothers interviewed felt that their health was worse after the baby's birth than before.

## 8 Gender equity and work–life balance

Gender equity is a broad, somewhat nebulous term that encompasses a range of issues which may be defined and measured in a variety of ways. At the individual level, gender equity can be measured by patterns and relationships between men and women within families, households and the paid labour market. At an institutional or societal level, gender equity can be measured by indicators such as labour force participation rates, men's and women's relative earnings, levels of gender segregation across and within occupations, the proportion of men and women occupying high-level managerial and authoritative positions, as well as the range of policies, welfare and political supports. A recent useful definition is provided by Gornick and Meyers who define gender equality as 'a society in which men and women engage symmetrically in employment and caregiving, and all parents have realistic opportunities to combine waged work with the direct provision of care for their children' (2009, p. 4). Work–life balance is also a broad term encompassing a range of issues relating to the amount of time devoted to paid work and non-work activities, the extent to which paid work encroaches on non-work time and vice versa, the extent of institutional and workplace supports for family-friendly arrangements, as well as subjective perceptions of satisfaction with work–life balance and implications for health, quality of life and wellbeing.

Unpaid labour includes both indoor tasks such as cooking, cleaning, shopping, washing and ironing, as well as outdoor tasks such as lawn mowing, gardening, taking out garbage and home maintenance (and repairs). Some surveys also ask about taking care of pets, paying bills, keeping in touch with relatives and friends, and driving the car. In BaMS we asked questions about how many hours each week respondents and their partners spent in routine housework tasks (including preparing meals, dishes, shopping for food, doing laundry, vacuuming and cleaning), and looking after children (taking them to activities, reading or playing with them, or bathing dressing, feeding or putting them to bed).

Previous research has shown that the birth of a child, particularly a first child, is often an important turning point in the allocation of paid and unpaid work between men and women. It is at this point that women tend to withdraw from paid work by leaving the labour force or moving from full-time to part-time employment, while men tend to remain in full-time employment, and possibly increase their hours of employment to compensate for their partners' reduced earnings (Baxter et al. 2007). Research shows that arrangements within families typically become more traditional after the birth of a child, with women taking on significant extra household duties (an extra six hours per week), and men's hours of unpaid work staying at pre-birth levels (Baxter, Hewitt & Haynes 2008). There is also clear evidence that men and women with children are more likely to feel rushed or pressed for time than men and women without children (ABS 2009d).

Using data from BaMS on the division of labour in the household and perceptions of time pressure, this section focuses on patterns of gender equity following the birth of a child. Gender equity can be assessed by a number of indicators. These include:

- men's and women's labour force participation rates and associated rewards such as earnings
- gender divisions of labour in the household, particularly time on child care and domestic work and the level of sharing of these activities
- men's and women's perceptions of work–life balance, their quality of life and wellbeing.

### 8.1 Gender equity in the household

We have seen major changes in the demography of family formation and dissolution, including large increases in rates of de facto cohabitation, increasing divorce rates, increases in the number of people living alone, increases in births outside marriage, declines in fertility, and declines in marriage—all of which suggest changes in the amount of time women and men are spending in traditional family arrangements over their life course. Nevertheless, the evidence shows very clearly that there have been minimal changes in the gender division of labour within families. Women are still responsible for the bulk of unpaid labour and care work, despite small

increases in men's involvement in some areas (Chesters, Baxter & Western 2009). Recent research has shown that women spend approximately three times the number of hours on housework compared with men. Women report an average of 24 hours per week on routine housework tasks compared with men's average of nine hours per week (Baxter, Hewitt & Haynes 2008).

The cost of these traditional household patterns is seen in a number of ways. Women's withdrawal from the labour force or reduction in paid work to care for children means significant penalties in earnings for women and reduced income into the household, limits on women's career progression and opportunities, long-term costs for women in superannuation accrual, and potentially a loss of commitment and incentive to pursue paid work. For men, women's withdrawal from paid work places greater burdens on them to provide adequate income for the family, and frequently means less time available to spend with young children. The result may be a lower level of bonding between fathers and children.

One potential outcome of the introduction of the PPL scheme is that it may lead to greater sharing of household and child care tasks between men and women. This might occur for a number of reasons.

First, if PPL encourages women to maintain an attachment to the labour market during the early years of parenting, this may encourage men to take up a greater share of the household and child care labour. Our earlier research showed that women's housework hours increased by six hours per week after the birth of a child (Baxter, Hewitt & Haynes 2008). If women return to employment more quickly after the birth of a child as a result of the introduction of PPL, or take leave rather than withdrawing from the labour force, then men might also increase their involvement in household and child care tasks. For example, women's involvement in paid labour reduces their time at home and maintains their contribution to household earnings, both of which encourage men to participate more equally in unpaid labour and care tasks. If women leave employment, they are likely to spend more time at home and to take on a greater share of household work.

Second, many studies have shown that women's earnings (both absolute and relative to their partner) are a significant factor in determining how much time they spend on child care and household work (Baxter, Hewitt & Haynes 2008; Gupta 2007). Women who have higher earnings spend less time on domestic work and child care than women who earn less. One theory is that greater earnings lead to greater household bargaining power. From this perspective, the level of economic resources (income) an individual contributes to the household either increases or decreases their bargaining power over the amount of unpaid labour they perform. The assumption is that unpaid labour is undesirable work and the spouse with the fewer resources, most time and least bargaining power will do most domestic and child care work. If PPL enables women to maintain earnings while on parental leave, and potentially contributes to greater earning power once they return to paid employment through the advantages gained from continuity of employment, they may have greater bargaining power in the household over the division of labour and time spent on unpaid tasks. Another theory is that women who are earning more have greater discretionary spending power and may use their earnings to buy out time on housework tasks by hiring outside help, such as a cleaner (Gupta 2007). Either way, paid parental leave is likely to improve women's current and future earning power and may potentially reduce women's time on unpaid labour, leading to greater gender equity in households.

Third, men who take paid parental leave (either from their employer or as a transfer of PPL) may spend more time taking care of children and doing unpaid household labour. Overseas research has shown that men are much less likely to take parental leave than women (Haas & Hwang 2008), but those who do are more likely to develop closer emotional bonds with their child as well as skills and confidence as a caregiver, leading to more time spent by fathers with children while they are on leave, but also as the child grows older (Nepomnyaschy & Waldfogel 2007; Tanaka & Waldfogel 2007). Therefore, for fathers, a period of leave devoted to parenting may provide experience that contributes to the development of more involved or 'hands on' fathering, with implications for the longer-term gender distribution of child care labour (Haas & Hwang 2008, p. 87). Empirical research to date provides some evidence indicating that the more time fathers spend caring for infants the more time they spend with these children when they are older (Aldous, Mulligan & Bjarnason 1998). Australian research has found only a very weak relationship between fathers' use of leave at the time of the birth of an infant and fathers' time spent with the child between the ages of 4 and 19 months (Hosking, Whitehouse & Baxter forthcoming). This paper used time-diary

data from LSAC to examine differences in infants' time with a resident father at age 4 to 19 months according to fathers' duration of leave around the birth. A positive association between leave and fathers spending time alone caring for children was observed on weekend days, but not on weekdays. However, these relationships between taking leave and fathers' involvement may change for men who take paid parental leave at the birth of a child, as opposed to unpaid leave, or other forms of leave that are typically very short in duration and not designed to enable men's greater involvement in the care of an infant.

In this section we use data from BaMS to examine gender equity within households in relation to the division of housework and child care, and perceptions of time pressure.

We examine variations in relation to both housework and child care. Our measure of housework is based on questions asking how much time each week women and their partners spend on housework, including preparing meals, doing the dishes, shopping for food, doing the laundry, vacuuming and cleaning. Our measure of child care is based on questions asking how many hours women and their partners spend on child care including taking children to activities, reading or playing with them, bathing, dressing, and feeding them or putting them to bed. Total domestic labour combines time spent on housework and time on child care. Percentage share of each measure is calculated by adding the amount of time mothers and their partners spend each week on housework and child care, and then reporting the mothers' time as an overall proportion of total time.

As Table 27 shows, women perform over 70 per cent of all household work activities. This is consistent with much previous research both in Australia and overseas. There is very little variation in women's share of child care or housework in relation to the amount of time women spent on leave at the birth of the child. In fact, women who took no leave<sup>23</sup> report doing a slightly higher share of housework (77 per cent) and child care (74 per cent) than women who were still on leave (73 per cent and 72 per cent respectively). This is somewhat counterintuitive as it might be expected that women who are still on leave, and hence do not have paid-work responsibilities, will undertake a larger share of unpaid work.

Interestingly too, these data provide little support for the view that men do a larger proportion of child care than housework. Some research has suggested that men's time on child care has increased over time, particularly on tasks that might be considered more enjoyable or more closely linked to leisure activities, such as playing with children or taking them to activities. But the results here show that the proportion of housework and child care performed by men are very similar.

The second panel of Table 27 reports women's share of housework and child care according to the age of the child when they returned to work. Again the results show little variation in women's share of housework and child care, although there is some evidence that women who returned to work when their child was aged three to nine months do a slightly smaller share of unpaid labour than women whose child was either less than three months of age or 12 months and older when they returned to work.

Finally, Table 27 below reports women's share of domestic work in relation to whether they have returned to the same job, or a different job, or not returned at all. Women who have not returned to employment perform about 80 per cent of housework and child care compared with about 70 per cent for women who have returned to the same job. Women who have returned to work in a different job do a larger share of domestic work than women who return to work in the same job, perhaps because those who have moved to a different employer are more likely to be in positions that enable them to work part time (because they have moved to find such positions).

The qualitative interviews provide further insight into how couples and families negotiate the division of labour. While providing further demonstration of the disproportionate responsibility taken by women for housework, our interviews also reveal a wide variety of ways in which the division of labour is organised following childbirth, and suggest a somewhat more fluid set of arrangements than the quantitative data might suggest.

**Table 27 Mothers' mean per cent share of household labour in couple households by amount of paid leave, age of child when returned to work and return-to-work pattern**

	Mean share			N
	Housework	Child care	Total domestic labour	
Months of paid leave				
No leave	76.72	73.88	74.62	1280
Less than 3	72.58	71.26	71.98	235
3 to 5	73.93	71.10	71.55	468
6 or more	72.92	71.06	71.53	232
Still on leave (13+ months)	73.33	71.63	72.05	189
Total	75.13	72.62	73.24	2404
Study child age at return to work				
Less than 1 month	79.95	73.81	75.08	107
1 to less than 3 months	74.50	71.05	71.70	158
3 to less than 6 months	71.80	69.09	69.85	378
6 to less than 9 months	72.03	69.35	69.94	473
9 to less than 12 months	73.13	70.04	70.74	470
12+ months	75.81	72.10	72.75	163
Not yet returned to work (13+ months)	80.01	79.09	79.65	660
Total	75.12	72.60	73.23	2409
Return-to-work status				
Returned to work in same job	72.31	69.40	70.01	1312
Returned to work in new job	76.19	72.12	73.11	412
Not yet returned to work (13+ months)	80.01	79.09	79.65	660
Total	75.07	72.54	73.16	2384

Note: Data weighted by state. Total numbers may differ due to variations in item non-response. Data in this table relate to mothers who would have been eligible for PPL had it existed at the time they gave birth.

Source: BaMS

The negotiation of differing roles and responsibilities between couples was evident in a number of interviews. In an indicative case, the husband, as main breadwinner, would take over care responsibilities (bathing, feeding, and so on) of the couple's two children in the evenings while his wife went to work at her part-time, casual position in a call centre. When he was offered a new job with significantly more responsibility and higher remuneration, the couple completely changed their lifestyle and division of labour. The new job coincided with the birth of their third child; the mother took unpaid leave, and now does almost all the household work and child care, describing their situation as follows:

... he's an executive manager. So he's in charge of Western Australia, South Australia, Tassie, Darwin. I would like to work two days a week but my husband travels interstate every week, so it's probably not possible. I don't financially at the moment need to work, for the first time in my life. That's silly, because I want to work. He might leave at five in the morning and he might go for one night, three nights, four nights. So for me to work would be probably a bit difficult. Because obviously when he gets home, he's just exhausted. He gets emails all the time. [Int # 007]



In another, less dramatic shift in the division of labour, a woman described the way that the household division of labour had changed over time:

**Facilitator:** It sounds like, from what you were saying, you sort of divide up the tasks and you're both really happy being parents and enjoying the whole process.

**Interviewee:** Yeah, we've come to figure out what works best, I think. It took 12 months, but we got there.

**Facilitator:** So can you just tell me a little bit about that, because that's what we're sort of interested in, what changed?

**Interviewee:** Well, before [baby], housework was fairly even because, well not really even, I did a bit more, but just because we both worked. Then at first when [baby] was born, I wanted more help with the housework but you know, it was a struggle to get him to do it on his own instead of asking and asking. Then eventually he got the hang of that so it was sort of half/half in a way. But just recently, I think again, since [baby]'s a bit more independent and I've got a bit more energy, because he does the bath and the dinner, I don't mind doing the rest of it. It's a bit of a help in the afternoon. So now, that suits us both fine. [Int # 013]

## 8.2 Work–life balance

According to the ABS *Survey of Employment Arrangements, Retirement and Superannuation* (SEARS), trying to achieve a balance between work and family is one of the main reasons parents who are working feel rushed or pressed for time (ABS 2009d). In 2007, in couple families where both parents were working, around half (49 per cent) of fathers and two-thirds of mothers (67 per cent) who felt rushed said this was a result of trying to balance work and family responsibilities. In couple families where one parent, often the father, was employed, 44 per cent of fathers and 12 per cent of mothers gave this reason for always/often feeling rushed or pressed for time (ABS 2009d). Of women with young children who reported wanting fewer hours of paid work, 79 per cent reported 'caring for children' as the main reason they would like to work fewer hours (ABS 2009d, p. 21). In contrast, of men with young children who reported wanting fewer hours the reasons were more mixed; 31 per cent reported 'other family reasons' as the main reason, 22 per cent reported 'caring for children' and 21 per cent selected 'social reasons/recreational activities/free time' (ABS 2009d, p. 21). That study also found that 40 per cent of men and 44 per cent of women reported working some hours from home in their main job (ABS 2009d, p. 22). Women were more likely to use working from home as a method of balancing work and caring responsibilities. Thirty-two per cent of women cited 'caring for children' as the main reason they worked from home. Only 5 per cent of men who worked some hours at home reported 'caring for children' as the main reason, with the most commonly reported main reason being 'catching up on work/meeting deadlines' (38 per cent).

Overall, it was found that 53 per cent of men and 56 per cent of women reported that their work and family responsibilities were always or often in balance; 30 per cent of men and 29 per cent of women reported that they sometimes felt their work and family responsibilities were in balance; 17 per cent of men and 16 per cent of women reported that their work and family responsibilities were rarely or never in balance (ABS 2009d, p. 24).

Work–life balance is thus an issue of importance for both men and women, and it appears to be particularly acute for those who are combining paid work with family and care of young children. For women who remain in paid employment throughout their child-bearing and child-rearing years, there is significant evidence of work–family balance issues. Although many women opt for part-time employment as a means of combining paid- and unpaid-work responsibilities, the evidence suggests that these women often have the longest work weeks as they retain a significant share of unpaid labour and care duties in addition to spending time in paid work. Evidence shows that women in employment spend as much time with children as women who are not employed, often reducing time on leisure, sleep and personal care to find these extra hours (Craig 2007; Maume, Sebastian & Bardo 2009). This indicates potential costs to women in terms of wellbeing, health, satisfaction and work–life balance. Work–family balance problems are particularly acute for women with young children in the household, and for women in certain occupations and industries, particularly occupational sectors with varying weekly rosters and non-standard work schedules (Hosking & Western 2008; Pocock 2003). Table 28 reports the findings from BaMS on how many women feel rushed or pressed for time in relation to the amount of paid leave taken at the time of the birth, the age of the child when women returned to work, and women's work status. Overall, about half the sample of women in the BaMS survey (56 per cent) report always, or often, feeling rushed or pressed for time. Somewhat unsurprisingly, women who are still on leave are less likely to report feeling rushed

or pressed for time (47 per cent) than women who took no leave (56 per cent) or three months of leave or more and who are now back in employment. Similarly, as shown in the bottom panel of the table, women who have not returned to work are less likely to report time pressure than women who have returned to work.

There is evidence here that women who returned to work when their child was less than one month old are more likely to report feeling rushed or pressed for time than women who returned when their child was older. Some 74 per cent of women who returned to work when their child was less than one month old report feeling rushed or pressed for time 'often' or 'almost always'. This is an interesting and important finding as it suggests that time pressure is very significant for these women returning to work early. The relationship between feelings of time pressure for women who return to work later appear to be quite complex, and are likely to be influenced by the types of jobs and hours typically worked by women at the different times after birth. For example, we have seen in Chapter 6 that women who held professional positions before their baby was born tend to return to work when their babies are older than the babies of women in other occupational groups. These women's jobs may be more likely to produce feelings of time pressure.

**Table 28: Mothers' feelings of time pressure by amount of paid leave, age of child when returned to work and return-to-work pattern**

	How often do you feel rushed or pressed for time?					Total
	Almost always	Often	Some-times	Rarely	Never	
Months of all types of paid leave						
No leave	29	27	26	13	5	905
Less than 3	28	26	30	12	4	495
3 to 5	29	33	27	7	3	464
6 or more	27	33	28	11	1	303
Still on leave (13+ months)	21	26	33	15	5	412
Total	27	29	28	12	4	100
N	704	737	728	309	101	2579
Study child age at return to work						
Less than 1 month	49	25	13	12	1	116
1 to less than 3 months	28	32	26	10	5	175
3 to less than 6 months	29	27	31	10	4	393
6 to less than 9 months	31	29	26	11	3	487
9 to less than 12 months	29	33	27	9	2	480
12+ months	27	28	36	8	1	168
Not returned to work (13+ months)	20	27	30	16	7	760
Total	27	29	28	12	4	100
N	704	737	728	309	101	2579
Return-to-work status						
Returned to work in same job	31	30	27	10	3	1357
Returned to work in new job	30	29	28	10	2	435
Not yet returned to work (13+ months)	20	27	30	16	7	760
Total	27	29	28	12	4	100
N	697	731	719	306	99	2551

Note: Data weighted by state. Total numbers may differ due to variations in item non-response.

Source: BaMS

## 8.3 Conclusion

In this section of the report, we have reviewed a wide range of evidence about gender equity patterns, focusing on the household division of labour and work–family balance. We have focused on the relationship between these outcomes and women’s employment. BaMS data reported here confirm that whether women are in paid work is very important in determining what proportion of housework they do. Those in paid work do a noticeably smaller proportion of housework than women who are not in paid work, though they still do significantly more than half of the household labour. Leave taking appears to make little difference to these patterns. Qualitative interview data confirm the complexities that lie behind these simple relationships, as women negotiate with their partners about who will do the necessary household labour. With regard to work–family balance, BaMS again indicates that whether women are working is a central issue. Thus, women who are working are more likely to feel rushed or pressed for time than others.

### Summary: key points

In this section of the report we have examined various aspects of gender equity and how that might vary depending on the amount of paid leave taken and whether mothers have returned to work. The key findings are:

- Women who have not yet returned to work do about 80 per cent of total housework and child care tasks, compared to around 70 per cent for women who are working.
  - Among women who have returned to work, the amount of leave they took makes little difference to the proportion of domestic work they do, except that women who took no leave at all do more household labour than those who took some leave.
- Overall women who were not working felt less rushed or pressed for time.
  - Women who are still on leave are less likely to feel rushed or pressed for time than women whose leave has finished.
  - Women who had shorter leave durations (less than a month) before returning to work are more likely to feel rushed or pressed for time than women who had longer than a month.
  - Women who had returned to work were more likely to feel rushed or pressed for time than women who had not yet returned to work.

# 9 Evaluating the Paid Parental Leave scheme — next steps

## 9.1 Introduction

Following the completion of the baseline phase of the evaluation, represented by this report, the next evaluation step is a process evaluation. This phase of the evaluation is focused on the PPL scheme's processes, outputs and immediate outcomes.

Most of the baseline information and data outlined in this report will be used next in Phase 3 of the evaluation. The final phase will be based on data collected on a cohort of mothers who were eligible for the PPL scheme (most of whom will have used it) following its commencement, and whose babies had reached 13 months. This will allow comparison of the experiences and behaviour of mothers following the commencement of PPL with the baseline (pre-PPL) experiences and behaviour reported here. We outline the data collection and approach of that phase of the evaluation below (Section 9.3).

## 9.2 Next step: process evaluation

The process evaluation, phase 2 of the overall evaluation, has two main objectives:

- ▶ to identify process factors that impact on the immediate, intermediate and ultimate outcomes of the PPL scheme. In general terms the outcomes of the PPL scheme are determined by three sets of factors and their interrelationships:
  - the design and characteristics of the scheme
  - the way the scheme is operated, including the responses of key groups such as new parents and employers to the scheme
  - factors external to the scheme that impact on outcomes. The process evaluation is focused on the operation processes of the PPL scheme and their interaction with design and environmental factors.All three sets of factors will be investigated and taken into account in the process evaluation.
- ▶ to identify aspects of the operation of the PPL scheme that can be improved in order to maximise the likelihood of achievement of outcomes. In this sense, the process evaluation is utilisation-focused—that is, it is designed to be used to improve operational practice and the management of the PPL scheme.

The approach to the process evaluation can be described as process-oriented, multi-method, utilisation-focused—and designed to provide multiple perspectives on the roll-out of the PPL scheme.

It is process-oriented in that it is concerned with the program design and administrative factors that may impinge on the achievement of the outcomes of the PPL scheme. These factors provide part of the explanation for the level of success of the scheme.

It is multi-method insofar as it involves three sets of investigations which involve a combination of social science research methods: document analysis, key informant interviews, focus groups and large-scale surveys. These three investigations will provide a diversity of perspectives on the early operation of the PPL scheme: one examining the process primarily from the perspective of the public-sector officials involved; one focused on the perspectives and experiences of new parents; and one examining the experiences and perspectives of employers. Comparisons of the perspectives of officials, families and employers will be a component of the analysis of the data from these investigations.

The evaluation approach is utilisation-focused in that it seeks to identify aspects of the design and operation of the PPL scheme that have contributed to achievement or non-achievement of the scheme's objectives, with a view to program improvement.

The process evaluation aims to answer four broad research questions:

- ▶ What are the main elements and components of the PPL scheme to be implemented, their rationale and interrelationships?
- ▶ How has the scheme operated since its initiation? To what extent is the PPL scheme operating as intended, and what factors have resulted in any discrepancies between intent and actuality?
- ▶ What have been the immediate outcomes of the PPL scheme in its early months of operation, and what factors have impacted on these outputs and outcomes?
- ▶ On the basis of Research Questions 1 to 3, what have been the lessons learnt about the design and operation of the PPL scheme?

To answer these questions, the process evaluation involves three studies:

*The PPL new parent implementation study.* The centrepiece of this study is a telephone survey of approximately 1000 mothers who have a child through birth or adoption during the first three months of the full operation<sup>24</sup> of the PPL scheme (July to September 2011). The survey will address families' awareness, knowledge and understanding of the PPL scheme; their decision to take up or not to take up the benefits of the PPL scheme; their experiences of accessing the scheme; the impact of the scheme on mothers' decisions to inform employers of their pregnancy; the parental leave arrangements that families make in light of the benefits available under the scheme; parents' decisions to return to work; the experiences of different groups of families; and the experiences of those not eligible for the scheme. The telephone survey will be supplemented with interviews and focus groups with mothers.

*The employer study.* This study will be based, first, on a survey of approximately 500 employers, designed to examine their experiences and perceptions of the PPL scheme. Data obtained from the survey will be supplemented with key informant interviews with representatives of industry peak bodies and selected employers.

*The PPL policy and management process study.* This study will obtain data on PPL policies and operation processes and on the experiences of the public officials responsible for implementing the scheme during its early months of operation. It is designed to address Research Questions 1 and 2 and it will also inform Research Questions 3 and 4 from the perspective of the public officials involved in the management of the scheme. The study will have two components:

- ▶ analysis of available documentation on the PPL scheme
- ▶ key informant interviews with selected officials involved in management of the PPL scheme in a diversity of locations.

Final reporting on this phase of the evaluation will be completed by 31 August 2012.

### 9.3 Final evaluation phases: impact analysis and final reporting

Phase 3 of the evaluation aims to answer three key research questions:

- ▶ What have been the short-term outcomes of the scheme? The evaluation will examine three main short-term outcomes of the PPL scheme:
  - whether potential recipients are aware of the scheme
  - whether families make appropriate choices
  - whether applications are received and granted.

- ▶ To what extent has the uptake of the scheme aligned with projected (initial estimations of) scheme uptake?
- ▶ To what extent is the scheme showing signs of contributing to the proposed ultimate outcomes? The primary ultimate outcomes to be evaluated are:
  - women’s labour force participation/participation intentions
  - maternal and infant health and wellbeing
  - gender equity and work–life balance.

Evaluating the impact of PPL on these outcomes is complex and will require the use of a range of data sources and analytic tools.

To answer these questions, the evaluation will use a range of data and approaches since no single approach or data source will be capable of providing robust answers to these questions. Significant new data will need to be collected on parents’ and employers’ experiences and behaviour following the full operation of the PPL scheme. The major data collections to be carried out in this phase of the evaluation are:

- ▶ a new parents’ longitudinal survey
- ▶ a survey of employers
- ▶ interviews with potential beneficiaries, FaHCSIA and FAO staff, and employers.

The analysis of these data will include:

- ▶ comparisons of the baseline data with that collected after the full operation of the PPL scheme
- ▶ internal comparisons in the newly collected data, particularly that collected in the new parents’ longitudinal survey.

The final reporting on this phase of the evaluation (and the overall evaluation) will be completed by 28 March 2014.

# Appendixes

## Appendix A: Methodologies

### Baseline Mothers Survey

The Baseline Mothers Survey (BaMS) included 2587 mothers who had babies in October or November 2009 and who would have met the eligibility requirements for the government Paid Parental Leave (PPL) scheme if it had been in place at the time of the birth. Mothers who would not have been eligible for PPL were asked to participate in a short survey to allow us to compare them with PPL-eligible mothers on key variables. The sampling frame was Centrelink unit record data on 15,000 Australian parents who had applied for the Baby Bonus for babies born in October and November 2009. This data was provided by the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA). Parents who had a stillbirth were excluded from the sampling frame to minimise any additional distress to them. Parents who had adopted or fostered the child for whom the Baby Bonus was being claimed (41 out of the 15,000 sampling frame) were excluded as well.

Individuals randomly selected from the sampling frame were sent approach letters, and then followed up with a phone call inviting mothers to participate in the survey. Mothers were asked a set of screening questions based on the eligibility criteria for the PPL scheme to distinguish those who would and would not have been eligible for PPL had it been available at the time they gave birth. The initial screening questions in the survey encompassed:

- confirmation that the respondent had a baby about 12 months old and the baby's date of birth
- whether or not the mother was in paid employment before the birth, and
  - had worked for at least 10 out of the 13 months before giving birth
  - had worked on average for at least one day a week.

Mothers who fulfilled these criteria were then asked to participate in the full survey. Mothers who did not fulfill the employment criteria were asked to participate in a smaller survey designed to enable us to compare mothers who would have been eligible with those who would not have been eligible.

BaMS collected information on issues to do with access to parental leave, employment before and after birth, health, and gender equity.

Data were collected by the Social Research Centre Pty Ltd.

### Qualitative interview methodology

We conducted semi-structured in-depth interviews between December 2010 and February 2011 with 109 mothers who had babies aged between 11 and 15 months. All interviews were conducted face to face by trained interviewers. Interviewed mothers lived in major metropolitan areas in and around Melbourne, Brisbane, Adelaide, Sydney, Darwin and the NSW south coast. Similar numbers of mothers were interviewed in Melbourne, Brisbane, Adelaide and Sydney, with smaller numbers in Darwin and the NSW South Coast. The main target groups for the interviews were mothers from culturally and linguistically diverse (CALD) or Indigenous backgrounds, single mothers, and mothers who were employed on a casual or self-employed basis. Most participants fit into one or more of these groups, although some interviews were conducted with mothers who were not in any of these groups for comparative purposes. Most non-Indigenous mothers were recruited for qualitative interviews at the time they responded to BaMS (74 of 93 non-Indigenous interviewees), with the remainder recruited through snowball sampling.

The Indigenous mothers (n = 16) were recruited from participants in the Longitudinal Study of Indigenous Children (LSIC). All interviews with Indigenous mothers were conducted by staff from LSIC. A representative of the PPL project undertook training in the interview protocol and schedule with the Research Administration Officers.

At the time of interview the average age of mothers was about 33, with ages ranging from 19 to 46. Forty-one of the interviewed mothers were from a CALD background and spoke a language other than English at home. Most women were partnered at the time of interview (87 per cent) and most were legally married (70 per cent). Interviews were conducted with 12 women who were single at interview. We interviewed 25 women who were employed on a casual basis and 15 women who were self-employed before their baby's birth.

On average the interviews lasted around 45 minutes and ranged from about 30 minutes to one hour. Most interviews were conducted in respondents' homes. With the permission of the participants, all interviews were digitally recorded and subsequently fully transcribed. The interviews were semi-structured and explored how things had been for mothers since the birth of their baby in terms of their wellbeing, recovery, mental and physical health, breastfeeding, relationships with other family members (including fathers and other children), and feelings of time pressure. The other core area of interest was in relation to employment before and after the birth, including experiences during pregnancy, whether mothers had returned to work, whether they had returned to the same employer and why (or why not), and whether their working arrangements had changed or were different from what they had initially planned. Because interviews were semi-structured, participants were able to raise the issues that were of particular interest and concern to them.

### **Employer interview methodology**

Employers were selected for interview in consultation with FaHCSIA and recruited through researcher networks, publicly available information, and information made available by FaHCSIA.

Twenty-one interviews with employers were carried out before the implementation of the scheme on 1 January 2011. Interviews lasted approximately one hour. With the permission of the participants, the interviews were recorded and subsequently transcribed. All except four were undertaken by telephone, these four comprising face-to-face interviews. Each interview was undertaken by one researcher, except in one case when two participated. In five instances more than one person was interviewed from an employing organisation, either together or separately. In two cases further information was subsequently sought by email or further formal interview.

Ten of the 21 interviewees had registered for PPL at the time of interview. The remainder were not registered or did not know if they were at the date of the interview. To obtain the 21 interviews, nearly 50 organisations were approached. A limited number of those contacted did not respond to emails and telephone messages. A number of organisations refused to participate or did not follow through. In these cases, the researchers understood this largely to be a matter of time pressure.

Interviews were often with HR personnel as the person most responsible for the policy in organisations and at times with a finance or payroll manager. In small organisations, it was with a manager or the employer.



## Appendix B: Employer and employer association views of PPL

This section of the baseline report focuses on employer and employer association knowledge of PPL and views about the scheme. It focuses on three main issues:

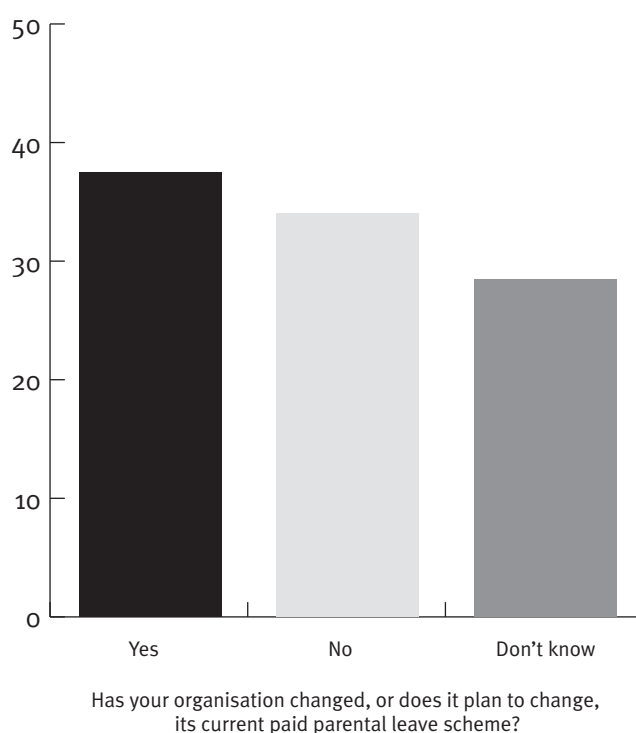
- ▶ available data on employers' changes to paid parental leave practices and policies before the introduction of the government's PPL scheme
- ▶ results of interviews with employers and employer associations
- ▶ analysis of employer submissions to the Senate PPL legislation inquiry.

### Available data on employers' changes to paid parental leave policies before the introduction of the PPL scheme

Two sources of data were examined to shed light on employers' provision of paid parental leave for the baseline report: data from the Equal Opportunity of Women in the Workplace Agency (EOWA) and the Workplace Agreements Database (WAD) held by the Australian Government Department of Education, Employment and Workplace Relations (DEEWR). Information from these sources has been included in Chapter 2 of the main report (Section 2.2). Here we elaborate on data collected by EOWA in 2010<sup>25</sup> on the extent to which organisations had changed, or planned to change, their parental-leave policies given the introduction of the government-funded PPL scheme in 2011.

In 2010, EOWA collected data on whether organisations plan to change their current practices and policies given the introduction of the PPL scheme in 2011. Of those surveyed reporting organisations (2589) that provided paid maternity leave, 37.5 per cent reported that their organisation **has changed, or plans to change the current paid parental leave scheme** as a result of PPL (compared with 27.8 per cent in 2008–09). A similar percentage of organisations (34.0 per cent) indicated there would be no change to their current arrangements, and almost 30 per cent responded that they were unsure if there would be any change. These results are displayed in Figure A1 below.

**Figure A1: EOWA reporting organisations' change or intention to change employer-provided parental leave**



Of those organisations that indicated they would change their current paid maternity leave (PML) arrangements, just over half (52.6 per cent) did not know what the changes to their schemes would be. Of the remaining organisations, most responded that the EBA/Award had to be negotiated before then so they would see what happened with that (16.9 per cent); and that the employer would pay the current leave on top of the Parental Leave Pay (PLP) amount for the 18-week period (13.7 per cent).

### **Results of interviews with employers and employer associations**

This section reports on the baseline non-probability sample of 21 employers interviewed as proposed in the evaluation plan.

Based on these interviews, the report provides information on the provision of paid parental leave and other types of paid leave for fathers, as well as outlining aspects of workplace culture that impact on take-up and employer knowledge of, and approach to, the PPL scheme; views of the PPL scheme's operation and likely impact on business; intentions about how and whether they would alter their existing paid parental leave provisions in light of the introduction of the PPL scheme. It begins with a descriptive overview of the employers in the study.

#### *Demographics of employers interviewed*

##### **Employer size by numbers of employees**

FaHCSIA defined (for the purposes of this sample) small employers as those with fewer than 20 employees. One such employer was interviewed. The majority of organisations participating in the survey had larger workforces. Overall, the composition of the interviews was as follows:

- ▶ One interviewee was a very small employer with three employees. Contact was made with other small employers but interviews did not result.<sup>26</sup>
- ▶ Four interviewees were relatively small organisations (38 to 50 employees).
- ▶ Two others were small to medium-sized employers, with between 100 to 200 employees each.
- ▶ Five employers ranged from between 900 and 1600 employees.
- ▶ The remainder (9) had between 3500 and 180,000 employees.

The largest employers and those in the public sector and professional services were more likely to have well-resourced human resources departments with a greater capacity to make time available for interview. They generally also had experienced more leave taking by employees.

Many helpful practical insights were, however, obtained from smaller employers. Of the six employers not providing their own paid parental leave, four had 50 or fewer employees and one other under 150 employees. They provided a different perspective to that of larger employers on many of the issues of interest to the evaluation.

##### **Gender composition, part-time and casual work**

The composition by gender, hours and employment status was as follows:

- ▶ Sixteen workplaces had 50 per cent or more female employees.
- ▶ Four organisations were very female-dominated with 80 per cent or more of their staff being women (Child care, Hotel, Pharmacy and Education A).
- ▶ Two employers (both manufacturing organisations) had fewer than 25 per cent of their employees who were women.
- ▶ Six workplaces (Education A, Cleaning, Legal B, Pharmacy, Public Sector A and Retail) employed high numbers of part-time employees—that is, 30 per cent or more—although this information was not always available.

- Part-time jobs were predominantly filled by women, where this information was available. The exception was the Cleaning employer where the interviewees said there were many male part-time employees.
- Seven employers (at least) had significant casual workforces (15 per cent or more) (Child care, Cleaning, Education A and 2, Hotel, Public Sector A and Retail).

### **Employee earnings**

As one of the eligibility criteria for the PPL scheme is having an adjusted taxable income of \$150,000 or less in the financial year before the date of claim, or the birth or adoption, the proportion of those earning within this sum in an organisation is of interest. Of employers interviewed:

- four of the smaller ones (38 to 50 employees) had no-one earning over \$150,000 p.a.
- at least eight of the larger organisations had significant numbers in this category—that is, above 5 per cent.

### **Location**

Due to the nature of how employers were recruited for interview (see Appendix A), many were national organisations and many based in Sydney, with two in Melbourne. Organisations in Darwin and Adelaide were also interviewed. Only one employer was in a rural area (the pharmacy), though the hotel was in a coastal city, the child care organisation was in another regional city as was the smaller public-sector organisation. At least one employer came from each state or territory except for Tasmania.

### **Industry and Sector**

Sixteen employers were from the private sector. The industries represented include banking and insurance (4), child care, cleaning services, education<sup>27</sup>, beauty<sup>28</sup>, hospitality<sup>29</sup>, manufacturing<sup>30</sup>, health care<sup>31</sup>, legal services<sup>32</sup>, transport<sup>33</sup> and property<sup>34</sup>. Two employers from the not-for-profit sector (one a legal organisation and the other an employer with a significant proportion of Indigenous employees) also took part. Of the three public-sector employers, one was an educational institution, another was a large government department/agency and the third was a regional local government agency.<sup>35</sup>

### *Current provision of paid parental leave*

Fifteen employers provided their own paid parental leave provisions for at least some of their employees and six did not make any provision at all. All the larger employers (eight with over 3500 employees in this sample) had employer-provided paid parental leave. Medium-sized employers (those between 34 and 1600 in this survey) were more mixed in their arrangements, and are likely to be conforming to their industry and sectoral norms (Baird & Williamson 2009). For example, a private school of 180 employees provided employer-paid parental leave whereas a cleaning company with 1600 staff did not. Similarly, a bank and a property developer with approximately 1200 to 1300 employees each provided paid parental leave. One of the two not-for-profits (NFPs) provided employer-paid parental leave.

### **Location of provisions**

Paid parental leave provisions were located either in company policies (which sometimes also form part of an employee's contract of employment) or in enterprise agreements (EAs). Some organisations provided it under both arrangements for different staff. In some cases company policy applied even where staff were covered by enterprise agreements, as the company policy provided better conditions; sometimes the policy mirrored the organisation's Enterprise Bargaining Agreement (EBA).<sup>36</sup>

It was unusual in these interviews to find different provisions for staff dependent on the instrument by which they were covered. A few senior staff in some organisations may have had the provisions outlined exclusively in their contracts (for example, Education B and Public Sector A). One employer (Education A) excluded a significant number of employees who were covered by an award rather than covered by the enterprise agreement, which provided paid parental leave. This employer did not have a policy of extending that condition to award-only staff. Variation of provision within employers depended on length of service or employment status (see below).

**Amount of employer-provided paid parental leave**

Most employers provided a set period of paid leave which varied between six and 18 weeks. Two employers (ManuCo A and Education B) extended this substantially after two years' service (one from six to 14 weeks; the other from one week available after one month which increased incrementally up to 36 weeks). One employer imposed reimbursement requirements for those employees who did not return or left before a specified period (Legal A). Another two (Retail and ManuCo B) provided extra pay by way of a lump sum on return with one requiring the employee to stay for a particular period (Retail). In the case of the other employer, the post-return payment amounted to a sum equivalent to six weeks' pay. Superannuation payments were not paid on this amount but they were paid on the parental leave payments. Yet another employer provided one paid week as prenatal leave (Bank A).

Employees received the equivalent of their full pay for the period of paid leave they were guaranteed. This could be paid flexibly in varying ways (see below, 'Flexibility of paid parental leave payments'). From the available information this appears generally not to have included any regular overtime or shift allowances. For professional employees it was unlikely to include bonuses they might have expected to earn. Two employers said employees would be considered for bonuses during a year in which they took leave depending on the time actually worked (Banks A and B). Only at one institution was a similar type of payment expressly included in the organisation's employer-paid parental leave, but it was not in the education sector, rather than the banking/financial sector (Education B).

**Superannuation and other arrangements**

All employers paid superannuation on top of the paid leave component of parental leave (that is, not on the return-to-work payment where available) and two paid superannuation on the unpaid portion, with another employer considering doing this. Although the information was not always available, employee entitlements to paid leave usually accrued during the employer-paid parental leave period.

**Eligibility: length of service requirement**

Two principal conditions usually governed eligibility for employer-provided paid parental leave. The first was length of employment service. Typically (nine employers), there was a 12-month requirement. One employer had a two-year service requirement (Retail). The three banks, however, provided employer-paid parental leave entitlements from date of employment and one other employer provided a sliding scale dependent on service which started with one paid week after one months' service (Education B).

**Eligibility: employment status**

The other criterion on which eligibility for an organisation's paid parental leave was usually dependent was employment status. The interviews asked about the difference between permanent and casual status. Nine employers provided no paid leave to casuals but two (Banks A and B) did after 12 months' service (their permanent staff had no service requirement). Of the rest, three (Bank C, Insurance, Legal B) did not employ casuals and there was no information for the other one.

**Flexibility of paid parental leave payments**

Flexibility in how leave was paid generally included payment at half pay for twice the number of weeks, at an employee's request. Sometimes this extended to paying other types of accrued paid leave at half pay to double the duration. Other flexibilities made available included payment at one-quarter rate, payment as a lump sum and, in one instance, an arrangement was available to use the payment at part rate to ease into (financially) a return to work part time (Education B).<sup>37</sup> Only two employers did not provide any flexibility. One blamed their payroll system (Transport). The other provided up to five years unpaid parental leave (Education A), despite not providing flexibility in the payment of parental leave entitlements.

**Unpaid leave arrangements**

Where employers provided only unpaid leave entitlements, these generally followed those under the *Fair Work Act 2009* (FWA). Three organisations with paid parental leave have granted the second 12 months as an entitlement should the primary carer wish to take it (Bank A, Retail and Transport). One employer permits

untaken portions of the 12 months' unpaid leave to be taken at any point until the child reaches school age. Another allows up to five years' unpaid parental leave.

In a few cases, employers extended the right to return to the previous position to employees with less than 12 months' service (Banks A and B—not casuals), as part of their paid parental leave provisions.

### **Employers who do not provide employer-paid parental leave**

Six of the employers interviewed did not provide paid parental leave. The interviewees in organisations not paying parental leave generally referred to cost issues as the reason for not doing so. The Child care employer said 'it's not as if the more that we do, the more we earn ... we've got to be mindful of the rate that we're charging our families'. The Hairdresser indicated her business could not afford it. One of the two NFPs had withdrawn previously good paid parental leave provisions when their funding arrangements changed and they could no longer meet its costs<sup>38</sup> (Indigenous).

One interviewee inferred cost was the reason for not providing paid parental leave but this was a decision made by others in the organisation. The business owners, she commented, probably thought only of 'the basics of what they had to do' (Pharmacy). The Cleaning employer said that in the light of their recent employee engagement survey, there was no apparent demand for improved leave of any sort. Only about a third of their staff were women, many of whom were at the child-rearing not the child-bearing stage.

### *Types of paid leave for fathers*

#### **Where the father is the primary carer**

There was significant variation in whether paid parental leave<sup>39</sup> was available to mothers only or to second parents as well (referred to below as fathers) if they became primary carers.

- Ten organisations made paid parental leave available where the father took over the primary caring role (even if this was just part time—for example, for a day a week<sup>40</sup>).
- Five employers did not have parental leave available to fathers. These were:
  - the retail employer (This employer commented 'the [employer-paid parental leave] policy was about the bonding and giving ability for the mother to bond with the child and not have to return to work too quickly, so it is maternity—paid maternity leave'.)
  - ManuCo B
  - a public-sector employer (Public Sector B)
  - the smaller education employer (Education A)
  - effectively the other education employer (Education B) did not make primary carer's leave available to fathers as a father was only eligible where he as well as the mother was an employee.

#### **Paid paternity leave**

Specific provisions for fathers to take paid leave at the time of the birth, or occasionally over a longer period (ManuCo B and Property Developer), were available in almost all the organisations providing employer-paid parental leave. In summary:

- Usually such leave comprised one to two (in one case three) weeks.<sup>41</sup>
- Two companies provided that the paid leave taken would be deductible from accumulated sick leave: in one company, one paid day at the time of the birth was provided for and this was deducted from accumulated sick leave (ManuCo A); in the other it was one week, deducted from accumulated sick leave (Bank B).
- One organisation made no provision for paid paternity leave, nor did it permit fathers to access primary carer's leave (Retail).

### *Workplace culture and impact on employer-paid parental leave take-up*

A number of questions were asked to understand the impact of workplace culture on employer-paid parental leave take-up. It is noted, however, that only a general feeling for workplace culture can be obtained in a brief survey such as this where only one person, and often a very senior manager, is interviewed. As one employer commented (ManuCo A):

that's the sort of thing that would be interesting if you actually spoke to the women concerned and got their perspective on it; whether they felt that they were seen or felt a perception that they were less committed ... I have to say, sitting from where I sit from a HR policy point of view, I don't think anyone thinks less of the woman who goes off and has her children at the time of life which is right for her and her family to do it.

### **General approach**

It was a rare interviewee who did not think (as the employer quoted above did) that their organisation had a largely positive culture around parental leave taking, **at least for women**. Many saw this as significant for ensuring their paid parental leave provisions operated effectively as part of their recruitment and retention strategy. Legal A remarked in answer to a question about whether their workplace culture encouraged parental leave taking:

Well I suppose we're all working in a war for talent sort of environment and we recognise that to retain people— I mean it costs a lot to find new ones. If we can retain people we're going to be on a better wicket there so it's shown by, I suppose, the fact that it [employer-paid parental leave] is 18 weeks.

Of those whose replies were more ambiguous, two employers (Cleaning and Hairdresser) frankly said they had given the issue no thought. Another three (two where large numbers of women used maternity leave) considered it was an entitlement clearly open to employees. However, they did not see it as one which was actively promoted (Education A, Retail, Public Sector A). Public Sector A said:

certainly I don't think anyone would be discouraged from taking parental leave. When you say encouraged— do we go out and say, go get pregnant take leave? The answer is no we don't, but I mean they're certainly not discouraged in any way, shape or form. Retail commented: To say do we encourage people to go on maternity leave, we make it very open to them and it's been like that for as long as I can remember.

Culture around fathers' leave taking was not explored to the same extent. However, Bank A made the observation:

I think they [men] would [feel as comfortable requesting or taking leave as women], but I think our Australian culture has challenges in it. My reason for saying that is I don't think it's anything specific to [the employer]. I think our Aussie culture has a challenge in that regard.

### *Processes for encouraging leave taking*

Larger and smaller employers demonstrated their positive approach (where they took such an approach) somewhat differently. This could be characterised as formal and informal encouragement.

### **Larger employers**

In large employers that identified as possessing a positive culture (principally the banks, Education B, Legal B, ManuCo A and B, Property Developer and Transport), the priority is establishing systems that provide information in a user-friendly way to employees and managers to facilitate organising and managing leave taking. This includes identifying how an employee can keep in touch with the organisation and the extent to which she wishes to do so, as well as discussing a return-to-work process. Material is typically made available on company intranets. For example, checklists for managers and employees may be provided of the issues to cover off when discussing leave, rather than just listing entitlements. This can include departure dates, handover arrangements, keeping in touch, return to work (including flexibly). Special parental leave packs may be provided. One employer included in theirs a subscription to *Positive Parenting*. Some (for example, Property Developer, Bank C, Insurance) organised seminars in advance of women going on leave about issues such as keeping in touch and return to work, including how to combine career and family. Support and/or training of managers in handling this issue is provided.

### Keeping in touch during parental leave

A number of organisations run keeping-in-touch sessions when those on maternity leave could come into work to be briefed on the business. One (Property Developer) provided lunch where the Managing Director gave a business update and the event was available on DVD for those who could not attend. Another provides morning teas with a similar purpose, bringing in child care assistance to help with the toddlers (Insurance).

Most commonly, employers remained in touch with employees on leave through various forms of Internet communication. One remarked of his company's employees:

you find that most people want to keep in contact and keep up to date with what's going on. So we set in place processes to allow that to occur. It's almost kind of a checklist thing but what it does it prompts managers about what do I talk about in those types of meetings [discussing parental leave with an employee] (ManuCo B).

Others commented that some employees want an uninterrupted period of leave.

### Availability of flexible working hours on return to work

Several employers referred to the availability of flexible and part-time work on return from parental leave as part of their encouragement of parental leave taking (Bank C, Education B, Insurance, Property Developer, ManuCo B, Public Sector B, Legal B). It was often in the context of the business case of the expense of replacing skilled employees who did not return. Bank A saw their employer-paid parental leave, keeping in touch arrangements and flexible work availability as part of a package:

the business case [for] paid parental leave and retaining talent, it's extremely strong and that's why we've invested heavily in paid parental leave provisions as well as our [keeping in touch] program and our flexible working options. We see it as a positive to retaining talent within our organisation.

Several interviewees said flexible work was fairly readily available in their organisation. Public Sector B explained their provision:

As part of their [leave takers'] return to work, we allow part time in the first two years of their return. Whether line managers can accommodate or whether they can't is irrelevant: they have to accommodate it.

ManuCo B said:

There are more questions about how can I do what I want to do to accommodate the person [returning from parental leave to work flexibly] rather than how do I stop it happening.

### *Perception of employee commitment and taking parental leave*

It is useful to examine the views in the above section together with responses to the question as to whether leave taking was perceived as indicating the leave taker was less committed to her job or career. Interviewees generally considered that this was not the case, though note the comment by ManuCo A in the first paragraph of this section. One responded to being asked if leave taking affected views of the leave taker's commitment by saying:

Not that I'm aware. I don't think they're seen as if you get pregnant you're not committed to the organisation. That view is held across the organisation. There might be one or two people who may have that—but I can't answer for them. (Public Sector A).

Returning to work in the above organisations often meant returning flexibly or part time. Some comments indicate that those returning from parental leave to work flexibly do not enjoy as positive a culture around that as around the taking of leave. One employer drew this contrast, saying that, while parental leave was accepted and celebrated, returning to work flexibly was less so (Legal A). Another said there is:

this kind of negative, this stigma attached to part-time work and being viewed as if you work part time you're not really committed, you're [not] interested in a career (Bank B).

Another (non-retail) bank commented:

On their return, obviously people make some adjustments. People may decide that they want to work flexibly and, yeah, sometimes there is obviously a payoff in terms of seniority, promotion, discretionary bonus review, et cetera (Bank C).

Legal A and Bank B were intending to take steps to tackle the negativity around flexible working in their organisations in the near future.

#### *Return-to-work rates*

In the larger organisations where the data on return-to-work rates were provided, these were 80 to 97 per cent. One employer commented they had seen a recent improvement in their return rate after introducing their paid parental leave provisions (ManuCo A). A couple of others attributed recent increases in return-to-work rates to their improved programs around facilitating leave, keeping in touch and return (Property Developer and Bank A). One organisation volunteered that they are about to start tracking post-return retention. The employer had 'identified that it's not just getting them [women who go on maternity leave] back but it's how we treat them when they get back and if they want to still stay' (Insurance).

#### **Smaller employers**

In smaller organisations, a positive culture was demonstrated by a more personal approach from managers. The Child care interviewee, who was the manager of five centres, encouraged workers to come early to discuss their pregnancy. Workers often did so when they were between 6 to 8 weeks pregnant. The interviewee commented this was because, 'They're so excited about it. But then you will get some that will leave it for three months.' She said once management knew of a pregnancy:

Then we start to look after them ... we sit down and have the talks, you are entitled to 12 months, but it's up to you how much you take. Then we just go through how much holiday entitlements they've got and how much we can — actually I don't know if this is in the award or not, but we actually can do half pay for them.

The manager of the organisation with a high proportion of Indigenous women employees said, 'I'm fully supportive of any staff that want to take leave, or you know, even if, just when they're pregnant getting really tired, it's like you're more than welcome to finish early if that's what needs to be done'. The three women who had been pregnant while she was manager had all come to her early in their pregnancies, the latest at 13 weeks. The legal NFP referred to the positive culture as being exemplified by the fact that:

everybody who works at [Legal B] are very aware of how flexible we are around parental leave arrangements ... [employees ask about returning to work part time when they discuss parental leave and say] I'd like to return part time, those kinds of things. I've never ever had a situation where we've actually said to them, no, that doesn't suit us, sorry [in 10 years].

The Hotel interviewee who was about to go on maternity leave had initially been concerned about telling the overall manager of the organisation of her intentions, as she did not have a good relationship with him. Her concerns proved to be groundless as he was accepting of her proposed leave. She identified the hotel as being positive about parental leave by commenting that they were:

involved in the pregnancy and asking how they [pregnant employees] are going, making sure we are supporting them, especially leading up because you get very tired, but we are quite family-orientated.

The Pharmacy interviewee (the business accountant) indicated there was a positive attitude to parental leave, particularly as the partners owning the business had working wives, one of whom was a partner in the business. The Pharmacy had only had one employee on leave in the previous seven years and she had returned to work. Three employees were now pregnant and two were definitely planning to return part time. The third was planning to return to work though her hours were as yet undecided.

#### *Keeping in touch during parental leave*

Where the smaller employers kept in touch with employees on leave, this was informal (Childcare, Hotel and Legal B). Two employers (Child care and Hotel) referred to employees bringing their babies into work as a way of keeping in touch.



*Return-to-work rates*

The smaller organisations had varied return rates (where they knew these). The Childcare organisation estimated theirs was 50 per cent. The interviewee did not consider PPL likely to affect the return-to-work rate but viewed this as a possibility with the availability of the right to request flexible working, 'I think we'll get more wanting to come back, because they've still got that time to spend at home with their child, but then they can also come and earn a little bit of money.' Others with fewer employees who had taken leave had 100 per cent return rates in recent years (Indigenous, Legal B, Pharmacy).

*Other issues*

In a small number of organisations employees came very early (before the end of the first trimester) to discuss their pregnancy, as in the instances described above. This was unusual. Many interviewees indicated that employees came at about the three-month mark. Several interviewees could not be entirely sure as they were too removed from the experience of line managers; in such cases they might hear of pregnancies further down the track. For example, when forms had to be completed or they were approached with issues to be resolved.

Most large organisations did not make central provision to pay for parental leave. Instead the business unit employing the leave taker met the costs of payment.<sup>42</sup> Where asked, interviewees indicated this did not cause problems with employing women of child bearing age.

*Perceptions of the impact of the government PPL scheme***Overview of employer intentions where they had their own employer-paid parental leave scheme**

One of the most striking findings of the interviews was that the employers were not, by and large, considering altering their own schemes in the immediate term (15 of the 21 employers interviewed had their own paid parental leave provisions). That is:

- they were not planning to increase or reduce their own paid parental leave in light of the introduction of the government's scheme
- they did not propose to top up the government scheme to full pay
- all the employers with their own paid parental leave provisions were already paying the superannuation component on top of such leave payments. In two cases, organisations provided this for the 12-month period, including unpaid leave (Banks A and B).

Two **were** considering other changes in the light of the introduction of the government scheme:

- One said it might try in some way to compensate employees earning too much to receive the payment under the government's scheme (Bank B).
- One indicated that there might be a reduction in their own provisions when the enterprise bargain was renegotiated (depending on what similar employers did) (Education A).

Other organisational responses were as follows:

- One organisation had recently considered increasing their paid primary carers' parental leave provisions and decided against it (Public Sector A).
- Another considered putting funds into improving the government scheme or their own in some way but decided against it (Transport, who *were* considering increasing paid paternity leave from one week to two, in the light of the introduction of a government paid paternity leave payment in 2012).<sup>43</sup>
- Another had introduced increases to their own employer-paid parental leave provisions to coincide with the government scheme and this appeared to be driven by wishing to have an edge on competitors (Legal A, where the timing of the government's scheme may have affected the timing of the introduction of their increase).

- ▶ Another had also considered reducing their own payments towards paid leave. They decided not to do this, commenting, ‘... we see it [the government scheme] as a government sort of social welfare benefit in a way’ (Bank C).
- ▶ The one smaller employer with paid parental leave thought it unlikely they would reduce their payments as this sort of entitlement was relatively cost-effective for the organisation as an employer, compared to salary increases (Legal B).

In summary, several of those with their own schemes felt they were good or even generous in terms of what was available in their industry or provided by competitors or peers and would not be changing their own schemes.

### **The effect on decisions about retaining employer-paid parental leave where this was not viewed as an employee entitlement**

A number of employers considered that their own paid parental leave provisions were not an employee entitlement but a discretionary payment provided under an organisation’s policy which could be changed by management (see Baird et al. 2009, p. 681).<sup>44</sup> This did not affect their decision not to reduce their own payment, with a few volunteering the information that such a change could impact on recruitment and retention. One employer, very clear that paid parental leave was not an employee entitlement, said:

We’re not seeking to reduce our own paid parental leave by any amount the government scheme provides for, though it’s separate. I mean, otherwise—god can you imagine? We’d be accused of being cheapskates or seeking gain from the government (Legal A).

They were also very aware of industry benchmarks.

### *Intentions of employers not currently paying employer-paid parental leave*

Of the smaller employers not currently providing their own paid parental leave, most were not considering topping up the government’s PPL to full wages or paying superannuation on the government payment. The Indigenous NFP had needed to cut their relatively generous paid parental leave provisions recently (see endnote 47). The interviewee said they would not offer anything on top of the government payment. The very small employer (the Hairdresser) indicated it would be too expensive.

### **Will casuals and independent contractors use the government Paid Parental Leave scheme?**

All employers responding to a question about whether casuals and independent contractors would use the government Paid Parental Leave scheme thought they would. Comments included:

- ▶ Casuals would only use it if they knew they could. Concerns were expressed that casuals generally assumed they had no rights (Hairdresser, Indigenous).
- ▶ The Indigenous employer thought casuals would need to know the government payment was generously means-tested as many Indigenous women think Centrelink payments are tightly targeted.
- ▶ Another commented that it may make women who are independent contractors try to obtain terms which would assist them meet the criteria for payment (Bank A).
- ▶ A third said: ‘I suppose [casuals and contractors will use PPL as] compared to the Baby Bonus, the money is still worth money. Even though it’s taxable, people that are casuals in particular probably won’t end up paying tax anyway (Public Sector B).

### **Statutory keeping-in-touch days**

The government PPL scheme introduced the possibility of ‘keeping in touch’ (KIT) days for those receiving the government payment. This is to enable employees to return to their job during their leave for up to 10 KIT days when an employee may do paid work for their employer to keep in touch with their employment and help their return to it when their leave ends.

Of larger employers, several did not think the introduction of statutory keeping in touch days would alter their practice very much (for example, Legal A, Education B and Bank A). Others thought it might encourage employer and employee to stay in touch. Public Sector B said that the provision would ‘probably encourage a bit more [keeping in touch] perhaps. I think it’s a very positive thing myself’. Public Sector A thought it would not be much used, but it would be helpful in specific circumstances—for example, so an employee coming in to participate in a course. The interviewee commented that he could ‘see a significant benefit in that part of it’. ManuCo A said that departments might use it for salaried staff when ‘doing strategic planning or if they’re having department-wide communication forums’. Education A also thought it would be useful for professional development days. Two smaller employers did not have a view (Indigenous and Pharmacy) as they did not know of the provisions.

### Other issues relating to keeping-in-touch days

Other issues relating to KIT days also emerged from interviews:

- ▶ One (Transport) said that ‘the provision makes a lot of sense’ in that it would formalise an informal practice of coming into work during maternity leave which strictly was in breach of the Fair Work Act provision that unpaid leave be taken in a continuous period.<sup>45</sup> For example, one interviewee referred to some employees coming back for a week or two to work on a specific project.
- ▶ An employee can choose when she takes PLP<sup>52</sup>, though it must be taken in one continuous period. Additionally the mother of a newborn must not work between the birth and the start of their PLP period except for the 10 statutory KIT days.<sup>46</sup> One interviewee wondered whether an employee would be able to use the KIT days when they and their employer were most likely to want them to do so. The Transport employee commented: ‘I’m not sure it’s the first 18 weeks where it’s most useful; I think it’s probably in the back half of the first year of parental leave that it would get more use. But we would definitely encourage for it to be used’.
- ▶ The Explanatory Memorandum to the Paid Parental Leave Bill stated ‘... a day of work is a keeping in touch day if performing the work is to enable the person to keep in touch with his or her employment or engagement in order to facilitate a return to that employment or engagement after the period of leave. Activities such as training days, planning days and conferences would meet this requirement.’ Some employer comments (below and Transport above) indicated that they might ask employees to come in to work at their job. It is unclear whether such work would comply with the spirit at least of the KIT legislation. ManuCo B thought that this could be a problem.
  - ManuCo B said, ‘if that [coming into work while on parental leave] was to occur while someone was actually on paid maternity leave, how would we deal with that because it could become problematic **particularly if it’s more than this keep in touch arrangement**. So we really haven’t given much [thought] to that, I must say’.
  - The Child care employer thought the provisions would be of use to the business as she would rather use existing employees for unexpected casual work than getting a temp. She remarked, ‘So yeah, if they were to ring and say I’m looking at coming back just one day a week, definitely. If somebody’s sick or someone’s on holidays, we’d much prefer them coming back in, than having to get somebody else in’.
  - Apart from the use mentioned above, Public Sector A thought the provisions might be used when the employer, ‘as an organisation wanted the person to come in and do something because we actually need their particular skills or knowledge’.

### Returning to the job after maternity leave

Where an employee does not have 12 months’ service, their employer does not have to provide leave or a right to return to the job they held before going on leave.<sup>47</sup> To receive PLP, however, they **must** take leave from work (or resign). There are a number of employees who will be eligible to receive the government parental leave payment and who do not have 12 months’ service with their current employer at the date of birth or adoption.<sup>48</sup> When asked if they would accept anyone eligible for the government payment and who takes leave in order to obtain it, back into their previous job, employer responses varied. Overall it did not appear that eligibility for the government payment would affect employer arrangements about the right to return.

Many employers (10) said they will decide on a case-by-case basis—for example, on the track record of the employee and the needs of the business at the time she wishes to return. Several expressed this positively in terms of trying to accommodate such employees.

Some interviewees did not currently have an eligibility requirement for permanent employees to receive the organisation's paid parental leave or had a minimal one (the banks and Education B). These employees were eligible for the right to return even if they took leave before completing 12 months of service. This provision would continue but would not be extended to casual employees.

### *Employer views on the impact of the scheme on the employer's business*

Employer views on how the scheme may impact on them were canvassed on four issues:

- ▶ effect on the return-to-work rate
- ▶ effect on the length of primary carer leave taken
- ▶ any other likely impacts on the business
- ▶ queries from employees.

#### **Anticipated impact on employees' return-to-work rate**

Most replied that they thought the return rate would not be affected. In many cases this was because they viewed the rate of return as already being high. One employer could not comment (Pharmacy). Another indicated that it was possible there would be a positive effect (Hotel). That interviewee thought PPL would encourage returning to work. This was partly 'because I suppose the employer is taking the responsibility, only because they have to, of paying the Paid Parental Leave', though she also thought return rates may be affected by the family-friendly nature of the workplace and its flexibility.

Five employers gave insights into other issues affecting return rates:

- ▶ One high-paying employer had seen an increase in return from maternity leave. They attributed this to their recent initiatives on promoting flexible working and career progression and their improved programs for transitioning into parental leave and keeping in touch (Property Developer).
- ▶ Bank A attributed their increased return to work rate to their KIT program.
- ▶ Another attributed the increase to the introduction of the company employer-paid parental leave provisions (ManuCo A).
- ▶ A fourth attributed the increase to the introduction of a resumption of work allowance worth six weeks' pay (ManuCo B).
- ▶ The Child care employer commented that the right to request flexible working would increase the return rate while she did not believe PPL would. As she saw it, the employer would have to agree to flexible working requests rather more frequently than at present. At this employer of 96 permanent staff, 95 of whom were women, part-time employees made up 5 per cent of the permanent staff.<sup>49</sup> There was a reluctance to permit part-time work, with the interviewee stating: 'We prefer full-time staff member[s] for continuity and care for the children'.

#### **Anticipated impact on the period of maternity (primary carers) leave taken**

Just over half of those interviewed thought that PPL would be unlikely to increase the period of maternity or primary carers leave taken. In several instances, these employers considered that, as about 12 months was generally taken now, this was effectively viewed as a standard. One commented that taking off longer could affect an employee's career as they would become out of touch with a fast-moving industry (ManuCo A).

**Small employers**

The relatively small employers not providing their own paid parental leave provisions thought the government PPL might increase the period of parental leave taken (Child care, Hairdresser, Hotel, Indigenous, Pharmacy):

- The child care employers thought the payment, linked with the right to request a second 12 months' leave, could lengthen the period of maternity leave taken.
- The hairdresser, whose recent experience was of an employee who took approximately four months' leave, thought it could extend the duration of leave.
- One interviewee was herself an employee about to take maternity leave. She expected that receiving PLP would result in her taking longer maternity leave than she had originally planned. This was due to the requirement to take 18 weeks after the birth to qualify for the full payment (Hotel).
- The employer of several Indigenous women was asked, in her experience, how the PPL scheme might affect the period of time taken off by Indigenous women. She thought:

[It would] [p]robably make them have longer time off, because obviously they've got a lot of other commitments and things like that, and a lot of Indigenous women that I've worked with actually come back quite early, but that's due to the fact to that they've been able to have family members look after their children ... The kids aren't actually going into day care, so yeah, it might impact on them having that bit longer off because of the financial situation.<sup>50</sup>

- At the pharmacy, the interviewee believed that two employees due to have their babies in 2011 would extend their planned leave from 14 to 18 weeks in order to receive the full payment.

**Large employers**

Few of the large employers thought that the PPL scheme might encourage longer periods of maternity leave:

- Two (Public Sector B & Education B) referred to the possibility that longer time might be taken off. Among their reasons, both mentioned that the difficulties in finding child care could affect the period taken.
- One of these two employers thought that more part-time work in the second year after birth might occur (Education B) and the other thought that reasons for taking longer include that 'most people want to spend more time with their kids' (Public Sector B).
- The retail employer thought it might encourage longer periods of maternity leave. This employer had a large number of lower paid employees and provides six weeks' paid leave under the company-paid parental leave provisions.<sup>51</sup>

One high-paying employer thought that their average of six months' primary carers leave would increase from 2011. However, they attributed this to the increase in their own paid parental leave (from 14 to 18 weeks) which they were introducing at the same time as the government's PPL scheme. They felt that at their workplace the government payment was too small to impact on the time taken off as maternity leave (Legal A).

Another organisation (which was not very clear about how many of its employees took leave) mentioned that either many of their female employees were not of child-bearing age or others 'seem to leave when they're pregnant because they don't want to continue doing a physical activity' (Cleaning). Whether the payment will encourage employers to adjust workloads or work arrangements when an employee is pregnant, and thus promote job retention, cannot be predicted.

**Employer views on the impact on their business of the government PPL scheme****Neutral or potential positive impacts**

Several employers thought that the government PPL scheme would cause no overall impact on their business, other than any view they may have expressed about its impact on return-to-work rates and whether it would affect the period of maternity leave taken (ManuCo B, Bank A, which foresaw no negative impact; Hairdresser and Public Sector A, which saw no positive or negative effects).

Several thought it was a benefit for their organisation (even if they could see negatives as well). For example, one interviewee said, 'I think for the business [as well as employees it's a bonus], because it's kind of, they'll be getting paid in a period where they would've been on unpaid leave from us anyway. So there's not a financial burden there' (Bank B). Another commented, when asked about impacts on the business, 'A positive, I guess, is in that it's just a little bit of a bolster to our own paid parental leave policy and will therefore support our retention initiative' (Legal A). Another also saw it as a useful supplement to their company parental leave provisions (ManuCo A). A fourth answered this question by seeing the extra money paid to employees, particularly casuals, as a positive (Property Developer).

As mentioned above, only one employer floated seriously the idea of renegotiating the employer-provided paid parental leave under the enterprise bargain: they said that, if it was renegotiated to take into account the employer's current provisions, savings to the business could result which would be beneficial (Education A).

The Hotel interviewee, though concerned about the administration costs, thought it would impact positively in terms of making employees feel more confident about their rights. The fact that the payment came from the employer was relevant to this, she felt:

I think it [the payment] will make them feel a bit more secure ... Like you question yourself once you are pregnant and you are just like, okay, how is my employer going to take this? I suppose when you have now got your Paid Parental Leave, it's the same across the board with everyone. So I think it's putting a little bit more confidence back into the employee. I don't think it actually makes much of a difference, but I think confidence-wise, I think still knowing something is coming from the employer and stuff like that, it gives you a bit of confidence.

### **Potential negative impacts**

Comments include the view of a fairly small employer that someone taking longer than six months off because of the scheme would impact negatively on the business (Pharmacy), while another employer of similar size viewed it as easier to replace employees off for 12 months or more rather than less (Legal B). In both cases this was speculation as they did not anticipate longer periods of leave occurring because of the scheme.

Another employer thought it could encourage employees to have more children and impact on the business with more periods of leave in that way (Child care). Employers viewing the administration of the government scheme as a negative impact is covered in the next section.

### **Are employers receiving employee queries about the government PPL scheme?**

Varied responses were received to the question whether employees were asking their employers about the government scheme (at the time of interview, that is November–December 2010). Just over half of the employers interviewed (12) reported few or no queries.

A couple of the smaller employers who had one or two pregnant employees had received queries yet the child care employer had not, although about 12 staff members go on maternity leave each year. One large employer (Bank B) mentioned that they had been receiving queries until they provided information on their intranet. The number of queries then declined. Cleaning, Education A and Public Sector A were among those which had received no queries. Bank A, Insurance and Public Sector A had received few queries, Education B and Public Sector B quite a few, with Retail and ManuCo B saying they were starting to receive queries.

Reasons provided by employers for the lack of queries included:

- ▶ employees were unaware of the scheme (Child care, Education A)
- ▶ many of their employees were ineligible for it (Bank C)
- ▶ their employees were able to inform themselves (the legal NFP, Legal B).

Where employees were making inquiries to their employers about the PPL scheme, these included:

- ▶ whether their existing employer provisions would continue to be paid as currently (a frequent question)

- ▶ how an employee should apply and to whom
- ▶ how the scheme works
- ▶ how the money would be received
- ▶ the nature of the entitlement
- ▶ when the government scheme would start
- ▶ the income test
- ▶ tax-related questions.

Generally employers were directing employees to the government website for answers. Certain small employers thought they would be providing somewhat more support than that in terms of helping employees through the process (for example, Indigenous, Child care; the latter thought they would support employees to decide between taking PPL and the Baby Bonus).

### *Administrative issues*

Employers were divided between those who considered that there were considerable administrative complexities and resource implications for (principally) their payroll function associated with introducing the scheme, and those who were less concerned. Even where the latter raised some potential administrative complexities, they saw no significant extra costs or administration, or those they foresaw were manageable and/or could be absorbed by the organisation. That is, they would be largely one-off issues. Some organisations said that additional human resources were used especially in the initial stages of setting up the scheme but by and large the use of such additional resources did not seem to be a significant concern.

A further division occurred between interviewees who were neutral or even positive about employer involvement in the scheme and those who were not. This was not necessarily associated with their view about the work involved for their organisation in administering it. Finally, smaller employers did not appear more concerned about administrative burdens flowing from their involvement in running the scheme than larger ones were.

The attitude of the organisation towards the scheme expressed by the interviewee may have been affected by the role of the person being interviewed in the organisation. Often they were HR personnel, but sometimes they managed the organisation's payroll function. Sometimes an HR interviewee had discussed the implementation of the scheme with the organisation's payroll function and passed on their views, not necessarily endorsing them. One interviewee commented:

[O]ur paymaster tends to be a bit of a pessimist. [He says] this is going to drive us crazy but then again, he says that about everything [emphasis added] ... I think there will be a concerted effort on set-up. But I think as long as the support is good from [government] I wouldn't think that it'll be too — I think the lead time is sufficiently long and it's not going to be too onerous (ManuCo A).

### **Large employers**

Of the 14 large employers (in this section, those with 200 or more employees), including the two mentioned in the last paragraph of this section, over half were not particularly concerned about administrative issues associated with the introduction of the PPL scheme.

One employer in this category (Cleaning) relied on their payroll providers to make the necessary changes and assumed there would be no significant issues to deal with themselves. They had very few women who went on maternity leave and thought the resource implications were 'minimal'. It should also be noted, however, that this employer had not realised that the employer had a role to play at all in the scheme until the first interview conducted with them took place. At the second interview a couple of weeks later, they expressed this opinion.

It was unclear whether these organisations needed to be concerned about any costs being passed on by payroll providers for adapting their systems. One company (Bank C) did mention this, saying 'having a sort of outsource model gives — — limits our flexibility and there will be an implementation cost [where changes are made]'.  

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Another interviewee mentioned an issue about ‘Whether we buy a patch from the systems development people or whether we use the current processing mechanisms we’ve got and just record it’ (Education B).

Four interviewees explicitly objected to the employer’s role in passing on employer payments. One of these, however, did not view administering the scheme as difficult. The interviewee objected because they viewed the organisation’s own paid maternity leave provisions as providing the employer–employee link while women were on leave (Public Sector A).

Another employer was more ambivalent (ManuCo B), and said:

there is a cost incurred in reconfiguring your payroll. Not a major cost, but it is a cost [and] not only for the purposes of configuration, but then there’s the administration of the payments. So there are some issues – not insurmountable, but it will be a cost to employers to implement the program.

They had also found registering several different employing entities within the organisation for the scheme to be difficult.

A couple of the larger employers (ManuCo A and Public Sector B) adopted a ‘wait and see’ attitude to the ongoing cost and complexity of the scheme. One said of its potential administrative complexity, ‘Look, I think it’s honestly too early to tell’. The other, when asked about the ongoing administration costs of the scheme, replied, ‘We’ll only know that once it hits the ground running’. However, neither foresaw great difficulties.

### **Smaller employers**

Most of the smaller employers interviewed (seven with fewer than 200 employees)<sup>52</sup> did not express very serious concerns about the administration costs (for example, Education A) but their responses did include the following:

- ▶ The smallest employer felt the government should pay employees directly (Hairdresser). This was because of her concern that employers would not pass on the payments. However, she was not particularly concerned about the administrative issues: she had confidence in her bookkeeper to keep her informed about what to do when necessary. She clearly intended to deal with the issue only when the need arose (although she only had three employees, she had recently experienced one on leave having her first child).
- ▶ The Child care employer with about 12 women off on leave in the past 12 months was also not concerned about the administration, though it should be noted she had not discussed the issue with her payroll section. She commented, ‘[I] honestly don’t see that there’s a great deal that we have to do. Obviously there’s the pay side of things, but we do have the department within our company, so that shouldn’t be too difficult’.
- ▶ The Pharmacy interviewee, the organisation’s accountant, did not view the scheme as causing much extra work. She did not think her work running the payroll would be much affected. She considered it at 50 employees as a fairly small task. Three employees would be on parental leave in 2011.
- ▶ Legal B said, ‘There’ll be an extra administrative task, but I can’t see that it’s going to be too onerous ... if you’ve got a payroll that’s set up properly’.

Two small employers did have concerns:

- ▶ The Hotel found there was considerable administration needed to set up for the scheme (which the interviewee herself hoped to benefit from early in 2011). She thought there would be ongoing administration for the payroll officer. However, one major concern was that she understood employers had to make the payments and then claim them back from the government (Legal B and Public Sector A had also understood this to be the case). When she understood this was not the case, it removed a serious negative impact of the scheme on the business (in her view), though she thought the administration remained a negative.
- ▶ The manager of a relatively small NFP employing a significant number of Indigenous women expressed serious reservations about the PPL scheme. She was positive about parental leave taking and illustrated this in several ways (described above, Section 6.2). She was adamant, however, that even an hour a week extra for herself or a colleague is time that has to be found. She anticipated extra questions arising from the annual audit of the



financial accounts. She too felt that she would become involved in queries from employees about the scheme and would feel obligated to assist. The organisation, which had recently expanded, was operating under tight financial circumstances, illustrated by the abolition of the paid parental leave provisions that they previously offered.

**Do the views of the impact of administering the government scheme vary depending on whether large numbers of women in an organisation are likely to receive it?**

***Employers with low numbers of women taking maternity leave<sup>53</sup>***

Some interviewees in this category attributed their views that administering the government scheme would not impact greatly on them to the low numbers of their employees who took parental leave:

- One remarked, ‘because of the small number of women or men for that matter, who would be accessing it, I just don’t think it’s going to make a big enough dent in their [payroll employee’s] normal day-to-day work to be a problem (ManuCo A). In that organisation of about 4500 employees, about 30 women<sup>54</sup> went on maternity leave annually.
- Education A commented, ‘I don’t think it’s going to be a huge administrative burden just because it is not going to be that frequent’ (one or two women a year took maternity leave). They also referred to the fact that they outsource their payroll ‘so it’s probably a little bit easier there’.
- Another employer (Cleaning), with very few women going on maternity leave, was sanguine about the impact of the scheme administratively, as their payroll providers will provide changes as necessary to the system.

***Large employers of women***

The organisations with large numbers of women going on parental leave expressed differing views about the difficulties and costs of managing PLP. Some did not foresee major problems:

- The two banks with between 20,000 to 40,000 employees experiencing up to 2000 employees taking parental leave annually were positive about the scheme.<sup>55</sup> They viewed the resources necessary to set up their payroll appropriately as either not requiring ongoing resourcing, or being something the organisation can absorb due to its size (Banks A & B).
- Education B was also a large employer of women (over half of its approximately 7000 permanent staff were women) and 255 took some sort of parental leave in 2010. The interviewee commented about the organisation of the scheme:

I’m fairly impressed with it. I think it’s been well thought through. I think the information available from the Family Assistance Office has been available for a long time so it’s had a long lead-up time. The flexibility of the six months has covered the option for people to progressively opt in, which I think has been workable ... I think it’s been well thought through and administratively, it looks fairly smooth. For a large organisation like us—we’ve got a large payroll—it’s just something else you take in your stride, by and large.

Three other large organisations, all substantial employers of women, had more concerns. They employed over 3500, with broadly no more employees taking parental leave (proportionately) than the employers above who were positive about the scheme. They envisaged both one-off and ongoing resource implications and viewed these as a negative impact of the scheme (specific concerns are detailed in the list below):

- One referred to it as ‘a piece of administration that maybe we didn’t need to have’ (Insurance).
- The other commented ‘we do not believe that we should be the administrator of this scheme’ (Retail). Apart from setting up the internal administrative systems for the scheme, they also expressed concern that they would inevitably be caught up in employee queries about whether they were receiving the correct payments.
- Transport had received a list of resource concerns from the organisation’s payroll, included below. Several of these related to the payroll system. This included the view that their administration would require considerable manual processing for the government payment. It may be worth noting that the interviewee had earlier commented (when asked how flexibly company-paid parental leave could be paid to employees), ‘our payroll systems aren’t the most flexible when it comes to allowing for these different modes of payment.

**Potential administrative issues raised by employers interviewed**

A range of issues were raised about the administration of the PPL scheme. The summary below provides a flavour of these. This is not a comprehensive list as all interviewees were not across the detail of the administrative and payroll implications of the government scheme. In a small sample of this size, too, conclusions cannot be drawn about which concerns may be most prevalent among employers. Nevertheless, they are indicators of matters potentially of concern to employers. These include:

- ▶ ensuring moneys not only go to the correct employee but into the correct bank account of the employing organisation
- ▶ separating out the PLP for reporting purposes as superannuation, workers compensation and payroll tax are not payable on these
- ▶ identifying the payments separately on employee payslips
- ▶ identifying the moneys separately for auditors
- ▶ dealing with employee queries where they did not receive the amount of money they expected and having to refer these to the FAO
- ▶ understanding ‘the manner in which funds would be transferred and the notification of the transfer’

Other matters include:

- ▶ prompt arrival of the PLP and prompt notification of this (as there is an obligation to on-pay these in the next pay cycle)
- ▶ complexities arising from an employer who has several employing entities
- ▶ if moneys do not arrive in time to be paid out in the pay cycle, some employers said they would pay the employee in any event, but others saw this as a dilemma they had not yet resolved
- ▶ issues around an employee terminating their employment
- ▶ interaction with the organisation’s parental leave payment
- ▶ issues around salary sacrifice
- ▶ manual administration of the PLP
- ▶ decisions about whether to buy changes to the payroll system.

Two employers were concerned that there would be teething difficulties with the scheme or payroll systems and had delayed their role for this reason (Retail, Education B in part). Nevertheless, only a couple of those who expressed a view anticipated problems with the FAO and administering the scheme; others were more positive or considered they could not comment.

*Registration, payments intentions and information sources***How did employers inform themselves about the government PPL scheme?**

A majority of interviewees said they had used the internet and, in particular, government websites, to inform themselves about the scheme. Several commented that they found the available information good. A range of other information sources were accessed including material from industry associations.

Despite the positive approach of many, a few interviewees reported difficulty finding exactly the information they wanted. Although difficult to generalise, it could be that material is not as easy to find for those with less specialised HR or payroll functions and less familiarity with searching out information of this nature on the internet. The Childcare organisation commented that they thought the requirement to choose between the Baby Bonus and Paid Parental Leave was not clear and they intended to highlight this to their employees.

The interviewee at the Pharmacy who was otherwise unfazed about implementing the employer role aspect of the scheme commented of the website:

it took a bit of understanding how it was all going to work. It didn't really set it out in various clear steps ...  
It took me a few goes of reading through it to actually work out how it was all going to be administered.

Some employers (Legal B, Public Sector A, Hotel) had not been aware that they would receive the funds from Centrelink before providing it to their employees. This is a significant misapprehension and could cause unnecessary concerns for any employers not realising it. This may indicate an area where improved communications particularly to smaller employers is necessary.

### **When are employers intending to provide Parental Leave Pay for their employees and for which employees?**

#### ***Registration and payment date***

Seven employers were registered *and* planning to provide PLP to their eligible employees for the PPL scheme on or shortly after 1 January 2011<sup>56</sup> (for example, Pharmacy had registered but the first pregnant employee to receive payment would not have her baby until a few weeks after that date).

Some employers had registered even though they did not intend to commence the employer role for the scheme until after 1 July 2011. There appear to be two main reasons for delaying commencement of the employer role:

- ▶ For some it was for a variety of internal reasons:
  - It was impossible to organise to make payments by 1 January (Bank B).
  - Some had issues with recent changes to their payroll or to HR (Bank C, ManuCos A and B, Indigenous, Insurance).
  - Two smaller employers were not intending to register until they had an employee who would be applying for the government payment (Hairdresser, Legal B).
  - The time needed to make decisions was a concern to some. For example, Education B explained that they must decide 'Whether we buy a patch from the systems development people or whether we use the current processing mechanisms we've got and just record it [government PPL]—that's one of the reasons why we're looking at how many we're likely to be dealing with.'
- ▶ Factors external to the organisation influenced some employers:
  - One large employer was delaying because they thought there would be glitches at the commencement of the PPL scheme which would need ironing out. They wished to avoid being caught up in this (Retail).
  - Another was focusing on other industry changes (Child care).
  - Another was delaying because of the uncertainty created by the Private Members Bill aiming to remove the role of providing Parental Leave Pay from employers. Additionally, their payroll company had emailed to say they were delaying changes to the system until the outcome of the Bill was known. This employer too wanted to see how other employers with similar payroll systems fared when they started the employer role on 1 January (Education B). If they had to commence the employer role, however, they would do this on 1 March 2011.
  - Another had decided 1 January was unsuitable as it was a public holiday and the organisation was shut until 10 January. They also thought that, if there were any problems, they would avoid them by participating later. However, 1 July was also difficult for them as it was the end of the financial year (Legal A).
  - One employer (Cleaning) had not realised until they participated in the survey that there was an employer role. A second short interview was conducted with them a couple of weeks after the first. They had not at that time decided what to do but thought that, as employees would receive PLP even if they did not register and opt in, the Cleaning employer would wait until 1 July to assume that role.

**Which employees an employer would provide Parental Leave Pay to**

Thirteen employers indicated they would definitely or probably provide PLP to all employees eligible for the scheme. Two of these, however, differentiated between employees and independent contractors<sup>57</sup>, stating they would not provide PLP for the latter (Education B and Insurance). Another was unclear how they would deal with this issue, though they were registered and had decided to pay employees before 1 July (Pharmacy).

Quite a range of employers indicated they would be happy to provide PLP to **all** their employees:

- ▶ two of the banks (Banks A and C)
- ▶ all the public-sector organisations (Education B, Public Sectors A and B)
- ▶ one NFP (Legal B)
- ▶ other private organisations, big and small (Insurance, Property Developer, Transport, Cleaning, Hotel)
- ▶ both manufacturing employers.

Some organisations (for example, the organisation excluding independent contractors mentioned in the first paragraph of this section) planned to distinguish between staff they would not be required to pay but who would receive PLP. Bank B thought it might not pay eligible casuals and the Child care employer definitely thought it would not pay casuals. One indicated it would make a case-by-case decision governed by whether they were likely to be having a long-term relationship with the employee (Property Developer) and another large organisation just indicated they would only pay those they were required to (Retail) as they strongly opposed the employer role. Legal A was undecided.

**Analysis of employer submissions to the Senate Inquiry**

The Senate Inquiry received 121 written submissions from a range of individuals, unions, employers and other interested parties (Parliament of Australia 2010). Of these, a total of 16 were from employer associations and two from individual employers (see Parliament of Australia 2010, Appendix 1). These submissions represent a formal way in which employers could express their views on the proposed scheme and influence the final legislation.<sup>58</sup>

**Which employers made submissions and what they said**

The employer associations represented small to large businesses across a range of sectors. The two single employers were a large mining company and a health care provider. (See Parliament of Australia 2010, Appendix 1.)

The employer responses can be categorised under the following six headings:

- ▶ Support for a government-funded paid parental leave scheme
- ▶ Benefits of a government-funded paid parental leave scheme
- ▶ Comments on the consultation process
- ▶ Interaction with existing schemes
- ▶ Concerns and objections
- ▶ Suggestions for change

**Support**

All the employer submissions supported a government-funded PPL scheme, some with the explicit qualifier that it not involve employers in the payroll function (for example, Victorian Automobile Chamber of Commerce (VACC)). The Group of Eight (Go8) Universities commended the government 'for taking the leadership on the policy' and the Australian Industry Group (Ai Group) said it was a 'sensible policy'. Some submissions (Chamber of Commerce and Industry Queensland (CCIQ) and Australian Retailers Association (ARA)) also commended the government for amending the Productivity Commission's September draft recommendations to relieve employers from payments related to superannuation, workers compensation and leave.

### Benefits

The specific benefits to business noted in the submissions included:

- ▶ increasing female participation by reducing barriers and providing an incentive—which is ‘vital to address Australia’s ageing population and skills shortages’ (Ai Group)
- ▶ attraction and retention of female employees
- ▶ improving productivity
- ▶ allaying costs of having a family and improving financial security for families
- ▶ improving the health and wellbeing of Australian families.

### Consultation process

It was acknowledged in some submissions that the government conducted an effective consultation process (Business Council of Australia (BCA)), and the opportunity provided to participate in ‘constructive dialogue’ was recognised (Go8). The Implementation Working Group was commended by Uniting Care Australia. Employers’ views of the government’s positive response to the consultation process also included the utilisation of existing dispute resolution procedures, the phase-in of the employer role, ensuring that there was no obligation on the employer to make the payment if funds have not been received.

However, other submissions (VACC and Australian Business Limited (ABL)) suggested that the time for public consultation was limited and that the Bill was being fast-tracked. The Australian Chamber of Commerce and Industry (ACCI) felt that the government had not sufficiently heeded the concerns of small- to medium-sized businesses that were raised during the consultation process. The BCA recommended ongoing monitoring and streamlining of the scheme, and this was seen as especially important to gauge the impact on small business.

### Interaction with existing employer schemes

According to the submissions, the responses will be varied. Rio Tinto notes in their submission that the scheme complements their own provisions, which they had recently extended (mid-2010) from 12 weeks to 4.5 months (18 weeks)—‘primary carers leave on full remuneration’.<sup>59</sup> The BCA says members’ feedback indicates there was no intention to reduce their own schemes. Similarly, the Ai Group does not anticipate that employers will reduce their current paid parental leave provisions. The other submissions were silent on this aspect.

### Concerns and objections

Most of the attention in the employer submissions was paid to concerns with, and objections to, the government-proposed scheme.

#### *Employer payroll function and additional administration*

The complaint raised most commonly was an in-principle opposition to the employer payroll function of the PPL scheme to be introduced on 1 July 2011. The government, following the Productivity Commission’s recommendations, had adopted this approach to maintain the workforce connection of employees while on leave. Another, related, concern with the employer payroll function was with administration of the new scheme where it was submitted that there would be additional administration and extra costs in upgrading systems. No evidence was presented that this would occur, but there was rather a plea to ‘fully assess the implementation costs to employers’ (Uniting Care).

The following organisations had objections and reservations to the payment process and the employer payroll duty:

- ▶ ACCI
- ▶ the MPMSAA (Master Plumbers and Mechanical Services Association of Australia)
- ▶ the NIRA (National Independent Retailers Association)

- ▶ the Australian Newsagents' Federation
- ▶ Australian Federation of Employers and Industries
- ▶ the Chamber of Commerce and Industry Western Australia (CCIWA)
- ▶ ABI (Australising Business Institute)
- ▶ ARA
- ▶ the Pharmacy Guild
- ▶ the Childcare Alliance Australia (CAA).

Various reasons were provided and they included the following:

- ▶ ACCI argued neither 'clear policy rationale' nor evidence was provided to justify the provision of Parental Leave Pay by employers; that the Productivity Commission was unnecessarily 'wedded' to the United Kingdom system and they referred to the AHRC (2002) proposal for a paid maternity leave scheme of 14 weeks which was not administered by employers. Finally they argued that the scheme should be 'simple' as per the Productivity Commission recommendation (pp. 16–21), inferring that employers not be directly involved.
- ▶ MPMSAA argued it would 'introduce unnecessary layers of red tape, complexity and administrative cost ... particularly for SMEs' and they 'do not support any process that involves small business and creates more red tape'.
- ▶ ABL also said it added an 'unnecessary level of administrative compliance', 'administrative burden' and that it will 'add new obligations on employees and the consequential risk of breach' because small business do not have the personnel to do this; they are likely to make mistakes; the connection with employees is more direct and personal in small business than large business, making the provision of Parental Leave Pay through employers unnecessary for smaller businesses, and furthermore, problems will follow necessitating 'more red tape'.
- ▶ VACC suggested further 'financial and administrative burdens could mean the end for small- and medium-sized businesses in the industry'.
- ▶ The main concern of the Go8 submission was the employer role in the payment of the government fund to employees, particularly the decision 'that employers will be responsible for passing on the government PPL payments'. They argued that, if employers were already providing paid parental leave, then the need to make the connection with the employee is not justified and may 'confuse the administration' and 'potentially give rise to disputes as a result of the complications introduced by the existence of two separate parental leave entitlements'.
- ▶ The ARA noted extra costs associated with the need for training of staff, updating payroll software and maintaining records and obtaining professional advice on the PPL scheme 'which the ARA believes the government has underestimated'. For small business it is an extra burden; they are 'time poor' and could create 'the potential for unintended consequences such as the possibility of employee discrimination' (Australian Newsagents' Federation).
- ▶ The CCIQ list concerns regarding the provision of Parental Leave Pay through employers as: inadequate capacity or infrastructure in business to manage and administer the scheme; hidden costs with software; chasing up FAO if payments are late; potential refunds to FAO impacting on cash flow; potential breakdown of employee–employer relationship if the scheme does not work; obligations to notify FAO; impact on competitiveness in industries with large numbers of female employees and potential discrimination in employing young people. The CCIQ insist business must be exempt from payroll tax.
- ▶ The Childcare Alliance of Australia also wanted assurance that small business owners would never have to advance payment ahead of receipt of funds from the government.
- ▶ For the Pharmacy Guild, payroll duty would have a disproportionate impact because 'they are small business employers', with a proportionately high number of women of child-bearing age. They argued there was no

evidence that maintaining connection to the workforce ‘outweighs the significant burden on small to medium enterprises in administering the scheme on behalf of the government’. Further, the Pharmacy Guild argues there is no precedent for employers passing on government funds and this introduces the possibility for ‘maladministration, fraud and non-compliance’ due to a ‘benign lack of understanding’ (PG p.7). The Pharmacy Guild rejected arguments that the employer payroll function would increase retention, arguing there was no evidence for this, saying instead that personal and family factors or job-related factors influenced an employee’s decision to return to her employer.

- ▶ ABI also claimed that it was likely employers would face ‘considerable additional work arising from employee queries and uncertainty relating to the implementation of the scheme and individual eligibility.’

In all, the VACC, CCIWA, CCIQ, ABI, ARA and Pharmacy Guild submissions (explicitly) supported the ACCI submission, all noting the problems regarding the employer’s ‘paymaster role’.

Other administrative challenges raised by the Go8 submission included: clarity needed with regard to the eligibility ‘work continuously’ requirements; clarity with regard to responsibility for making payment to casual employees, (that is, FAO or the employer?); timing of payment administration; costs to human resources information systems (HRIS) enhancement to be borne by government; resolution of uncertainty around workers compensation and payroll tax. The Go8 was also concerned that ‘unintended consequences’ of PPL be assessed. An example was the stipulation that no paid work occur while in receipt of PPL, which does not take into account academics’ ‘passion’ for their jobs and their possible desire to continue working while on leave.

To reinforce their political point, some submissions directly quoted (then) shadow Ministers Gillard, Macklin and Plibersek’s statement (13 July 2007) that a Rudd Government would not ‘support a system that imposes additional financial burdens or administrative complexity on small business or in any way act as a discouragement to the employment of women’.

### **Penalties**

The submissions also commented on the penalties in the proposed legislation. The Ai Group, although generally supportive of the PPL scheme, argue that the proposed 14-day period in section 103 of the *Paid Parental Leave Act 2010*, wherein the employer must notify the Secretary of acceptance or request for review of the employer determination, is not long enough. If not met, the employer is exposed to a maximum penalty of a \$33,000 fine. The Australian Federation of Employers and Industries argued that the civil penalty provisions are ‘punitive and unbalanced’, and other submissions also objected to the civil penalties (for example, ARA). The Australian Federation of Employers and Industries objected to any penalty and supported an increase from the 14-day cut-off to 21 days.

The Australian Federation of Employers and Industries also objected to the role of the Fair Work Ombudsman (FWO) in ‘resolving issues over delays, disputes or debts that arise in the payment process’, seeing this as unnecessary additional work for an already expanded role of the FWO with the *Fair Work Act 2009*.

The Australian Federation of Employers and Industries expressed concern over lack of clarification over interaction with employees’ other entitlements such as workers compensation premiums; superannuation obligations; payroll tax and paid leave entitlements and accrual under the National Employment Standards.

### **Suggestions for change**

The solutions proffered by the employer submissions favoured:

- ▶ payment being made through the Family Assistance Office (for example, VACC; Australian Newspapers’ Federation; Australian Federation of Employers and Industries, ABI, CCIQ; Childcare Alliance Australia (CAA))
- ▶ an ‘opt in’ to being the ‘paymaster’ (for example, ACCI; VACC; Australian Newspapers’ Federation; ABI; ARA, Pharmacy Guild). (The ARA notes that some employers may prefer this to interact with their own existing schemes or, if they are large enough, to make the provision of Parental Leave Pay feasible.)
- ▶ reimbursing costs and/or a reward or incentive scheme for the provision of Parental Leave Pay.

ACCI made four recommendations. These were that:

- ▶ employers not be paymaster
- ▶ there be no additional on-costs for employers
- ▶ employers not pay superannuation and recommended the government fund superannuation payments for the 18 weeks or reduce the duration of the PPL to approximately 14 to 14.2 weeks plus superannuation
- ▶ there be no top-up payments through the state and federal Industrial Relations systems.

Some of the submissions made other suggestions for change which, it was argued, would improve the scheme's operation and reduce costs for employers as well as for the government. For example, the Go8 suggested that employers providing comprehensive paid parental leave should not be required to administer the government's scheme. This would reward 'model employers' and provide an 'incentive' to other employers to provide their own paid parental leave.

Alternatively, employers, particularly small employers, should be compensated 'for the cost of administering the system on behalf of the state'. 'This should be [a] 4.5 per cent premium in addition to the cost of the leave.' The CCIWA support a rebate to employers if they are to administer the scheme. ARA suggested a third option be that SME businesses receive exemption from providing Parental Leave Pay, the threshold to be determined by 'annual turnover, full-time-equivalent employees'.

A number of submissions preferred the New Zealand model, where payments are made via a government agency with minimal paperwork for employers (ACCI, ABI and ARA specifically refer to the New Zealand model).

The Ai Group recommend changes to the legislation—to change the 'date of the notice' given to the employer that they must provide the PLP to the employee in section 102 (4) of the *Paid Parental Leave Act 2010*, so that it is 'no earlier than the date that the notice was posted or transmitted to the employer' rather than the date it is prepared; extend the period to 21 days (rather than 14 days) for the employer to notify acceptance or seek a review, and reduce the penalty (and all penalties) to a maximum of \$16,500 (in line with the *Fair Work Act 2009*). They also recommended ongoing monitoring of the scheme, in conjunction with employers (Ai Group).

Finally, many submissions referred to the need for more education about the scheme. Their recommendations included that the FWO take an educative approach (rather than a punitive approach) during the first 12 months; the Ai Group suggested an education campaign for employers to be done through employer groups. Their argument was that employer groups are more effective than 'broad-brush approaches'. The Chamber of Commerce and Industry Queensland also requested widespread information and an education campaign, because the legislation is complex and 'many employers will find (it) difficult to understand'. The CAA requested an education campaign so members do not unwittingly fail to comply with its requirements. The ARA said that the training and education of employers about the scheme should be government-funded. The CAA was concerned about lack of staff while employees are on PPL.



## Appendix C: Tables of the association between various mothers' health outcomes and patterns of return to work (Chapter 7)

**Table C1: Mothers' experience of back pain by amount of paid leave, age of child when returned to work and return-to-work pattern<sup>(a)</sup>**

	How often have you experienced back pain or backache?					N
	All of the time (%)	Most of the time (%)	Some of the time (%)	A little of the time (%)	None of the time (%)	
Months of all types of paid leave						
No leave	5	11	25	29	30	905
Less than 3	4	12	23	31	29	495
3 to 6	4	8	24	33	31	464
6 or more	4	7	23	33	33	303
Still on leave (13+ months)	3	7	27	32	30	412
Total	4	9	25	31	30	2579
Study child age at return to work						
Less than 1 month	5	10	19	27	39	116
1 to less than 3 months	5	7	26	28	33	175
3 to less than 6 months	3	10	27	34	25	393
6 to less than 9 months	4	8	23	34	30	487
9 to less than 12 months	4	9	27	31	29	480
12+ months	2	5	24	33	36	168
Not returned to work (13+ months)	5	11	24	30	30	760
Total	4	9	25	31	30	2579
Return-to-work status						
Returned to work in same job	3	8	25	33	30	1357
Returned to work in new job	5	9	25	29	31	435
Never returned to work (13+ months)	5	11	24	30	30	760
Total	4	9	25	31	30	2552

(a) Table shows percentage of mothers who rated their experience of back pain as all of the time, most of the time, some of the time, a little of the time, and none of the time within each group. Thus, 30 per cent of mothers who took no paid leave experienced back pain none of the time. The total is the number of cases in each group.

Note: Data weighted by state. Numbers may differ due to variations in item non-response.

Source: BaMS

**Table C2: Mothers' experience of headache or migraine by amount of paid leave, age of child when returned to work and return-to-work pattern<sup>(a)</sup>**

	How often have you experienced headache or migraine?					N
	All of the time (%)	Most of the time (%)	Some of the time (%)	A little of the time (%)	None of the time (%)	
Months of all types of paid leave						
No leave	1	4	19	34	41	905
Less than three	1	4	21	33	40	495
Three to six	2	2	21	35	41	464
Six or more	2	3	16	42	37	303
Still on leave (13+ months)	0	2	24	33	40	412
Total	1	3	20	35	40	2579
Study child age at return to work						
Less than one month	1	3	20	31	45	116
One to less than three months	0	4	23	35	38	175
Three to less than six months	2	3	20	33	42	393
Six to less than nine months	1	4	22	31	41	487
Nine to less than 12 months	1	3	16	40	40	480
12+ months	1	2	20	35	42	168
Not returned to work (13+ months)	1	4	21	35	38	760
Total	1	3	20	35	40	2579
Return-to-work status						
Returned to work in same job	1	3	20	36	40	1357
Returned to work in new job	1	4	20	32	43	435
Never returned to work (13+ months)	1	4	21	35	38	760
Total	1	3	20	35	40	2552

(a) Table shows percentage of mothers who experienced migraine or headaches all of the time, most of the time, some of the time, a little of the time and none of the time within each group. Thus, 41 per cent of mothers who took no paid leave experienced migraines and headaches none of the time. The total is the number of cases in each group.

Note: Data weighted by state. Numbers may differ due to variations in item non-response.

Source: BaMS

**Table C3: Mothers' experience of coughs or colds by amount of paid leave, age of child when returned to work and return-to-work pattern<sup>(a)</sup>**

	How often have you experienced coughs or colds?					N
	All of the time (%)	Most of the time (%)	Some of the time (%)	A little of the time (%)	None of the time (%)	
Months of all types of paid leave						
No leave	0	2	18	43	37	905
Less than three	1	3	24	42	31	495
Three to six	0	4	22	47	27	464
Six or more	1	3	17	52	28	303
Still on leave (13+ months)	0	2	20	47	31	412
Total	0	2	20	45	32	2579
Study child age at return to work						
Less than 1 month	1	3	16	43	37	116
1 to less than 3 months	0	2	24	44	30	175
3 to less than 6 months	1	4	22	43	30	393
6 to less than 9 months	0	3	24	47	26	487
9 to less than 12 months	0	3	21	48	27	480
12+ months	0	1	20	43	36	168
Not returned to work (13+ months)	0	2	16	45	38	760
Total	0	2	20	45	32	2579
Return-to-work status						
Returned to work in same job	0	3	22	46	29	1357
Returned to work in new job	1	4	19	45	32	435
Never returned to work (13+ months)	0	2	16	45	38	760
Total	0	2	20	45	32	2552

(a) Table shows percentage of mothers who experienced coughs or colds all of the time, most of the time, some of the time, a little of the time and none of the time within each group. Thus, 37 per cent of mothers who took no paid leave experienced coughs or colds none of the time. The total is the number of cases in each group.

Note: Data weighted by state. Numbers may differ due to variations in item non-response.

Source: BaMS.

**Table C4: Mothers' experience of postnatal depression by amount of paid leave, age of child when returned to work and return-to-work pattern<sup>(a)</sup>**

	How often have you experienced postnatal depression?					N
	All of the time (%)	Most of the time (%)	Some of the time (%)	A little of the time (%)	None of the time (%)	
Months of all types of paid leave						
No leave	1	2	5	16	75	905
Less than three	1	3	5	13	77	495
Three to six	1	2	6	13	77	464
Six or more	2	2	4	12	80	303
Still on leave (13+ months)	2	2	6	12	78	412
Total	1	2	5	14	77	2579
Study child age at return to work						
Less than one month	0	3	3	12	82	116
One to less than three months	1	2	5	18	74	175
Three to less than six months	1	2	6	13	78	393
Six to less than nine months	1	2	3	12	81	487
Nine to less than 12 months	2	2	5	16	75	480
12+ months	0	3	6	12	78	168
Not returned to work (13+ months)	2	2	7	13	75	760
Total	1	2	5	14	77	2579
Return-to-work status						
Returned to work in same job	1	1	5	14	78	1357
Returned to work in new job	1	4	4	12	77	435
Never returned to work (13+ months)	2	2	7	13	75	760
Total	1	2	5	14	77	2552

(a) Table shows percentage of mothers who experienced postnatal depression all of the time, most of the time, some of the time, a little of the time and none of the time within each group. Thus, 75 per cent of mothers who took no paid leave have experienced postnatal depression none of the time. The total is the number of cases in each group.

Note: Data weighted by state. Numbers may differ due to variations in item non-response.

Source: BaMS

## Appendix D: Relevant data sources

Table D1: Major potentially relevant data sources — PPL evaluation

Data sources (survey)	Population sampled	Sample size	Date(s)	Key relevant measures	Key limitations
HILDA	Effectively a representative sample of adult Australians	14,000 (maybe 200 to 300 women in HILDA give birth per year)	Longitudinal survey conducted annually 2001 — ongoing	Measures of leave taken (including separate options for paid and unpaid maternity leave) Measures of some work–life balance issues Some gender attitudes Domestic division of labour Gender equity in the labour market and in families Work–life balance Gender attitudes Single mothers	Lack of sufficiently detailed data on paternity leave Insufficient numbers of new mothers in relevant periods No reliable estimates of access among CALD
LSAC	Representative of Australian children aged 0 to 1 and 4 to 5 in 2003–04; includes parents and carers, and teachers	5 000 children in each cohort in 2003–04	Longitudinal biennial 2004 — ongoing	Links to Medicare data of children Data from parents Indication of child health Gender equity in families Work–life balance Gender attitudes Single mothers	Insufficient detail on mothers' leave Only has parents who had children in relevant cohorts May be too few having babies in relevant period No plans to introduce a new cohort Under-represents less educated, non-English-speaking and single mothers

<b>Data sources (survey)</b>	<b>Population sampled</b>	<b>Sample size</b>	<b>Date(s)</b>	<b>Key relevant measures</b>	<b>Key limitations</b>
LSAC 1-5	Representative national sample of mothers who had babies March 2003, February 2004	3573	Cross-sectional; one-off; 2005	All measures are relevant	The data is dated
LSIC	The parents and carers of two groups of Aboriginal or Torres Strait Islander children, mostly aged between 6 to 18 months and 3.5 to 4.5 years in Wave 1, were interviewed in 2008.	1680	Biannual survey 2008—Ongoing	Mothers' labour market attachment Labour divisions within Indigenous Australian families	The data is dated
NLC	Effectively a representative sample of adult Australians	2231 in Wave 1 1192 in wave 3, 2003 3138 in Wave 4, 2006	1996-7—ongoing	Availability of various forms of leave including 'paid maternity/paternity' and 'unpaid maternity/paternity' leave Leave take-up patterns Child care arrangement Gender equity in the labour market and in families Work-life balance Gender attitudes	Some question ambiguities on key issues Relatively small number of recent births in any wave
Australian longitudinal study on women's health (ALSWH)	Women of the following ages in 1996: 18 to 23, 45 to 50, 70 to 75	For cohorts in order: 14,762; 14,072; 12,804	Every three years, (1996, 2000, 2003, 2006, 2009 for youngest cohort)	High-quality, detailed data on women's health	Youngest cohort is 32 to 37 in 2010; sample therefore not nationally representative of eligible women

Data sources (survey)	Population sampled	Sample size	Date(s)	Key relevant measures	Key limitations
ABS Employee earnings, benefits and TU membership (6310.0)			2006	Estimates of employees' access to paid parental leave Estimates of employees' perceptions of access to paid maternity or paternity leave Gender equity in the labour market	Dated
ABS Pregnancy and employment transitions (PaETS)	Women aged 15 years and over with a usually resident natural child under two		2005, 2011 The PaETS is expected to be conducted every six years	Indication of levels of access to paid maternity, paternity and parental leave Return-to-work pattern	The measures do not extend significantly beyond PLAS
PLAS	Parents of children born between March 2003 and February 2004	3573	Nested in Wave 1.5 of LSAC, conducted in 2005	Estimates of eligibility for federal unpaid leave provisions Parents' reasons for not taking leave provisions Links to Medicare data of children Data from parents (for example, relationship status and employment characteristics) Leave take-up rates Factors affecting leave decisions Return-to-work pattern Indication of child health	The eligibility status of long-term casuals could not be identified Data may need to be updated

<b>Data sources (survey)</b>	<b>Population sampled</b>	<b>Sample size</b>	<b>Date(s)</b>	<b>Key relevant measures</b>	<b>Key limitations</b>
The Equal Opportunity for Women in the Workplace Agency (EOWA) surveys	Large organisations with 100+ employees	2587 organisations in 2009–10	Annually	Estimates of company provisions	No estimates for paid leave provisions among small–medium businesses
ABS Survey of Employment Arrangements, Retirement and Superannuation (SEARS) (6361.o)	Persons aged 15 years and over who were usual residents of private dwellings throughout Australia		2007  The next SEARS is planned to be conducted in 2013	Parents' access to paid carer's leave	
The 3rd Australian Work and Life Index (AWALI) survey			March 2009	Right to request flexible working hours	The survey was conducted before this right became an entitlement for Australian employees as a National Employment Standard in FWA 2009
ABS Labour force, Australia: labour force status and other characteristics of families (6224.o)	Based on Labour Force Survey (LFS) conducted by the ABS			Family formation patterns and labour market activity Single mothers	Not sufficient to address the relevant evaluation topics



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# List of shortened forms

ABI	Austraining Business Institute
ABL	Australian Business Limited
ABS	Australian Bureau of Statistics
ACCI	Australian Chamber of Commerce and Industry
ACTU	Australian Council of Trade Unions
AIHW	Australian Institute of Health and Welfare
AIRC	Australian Industrial Relations Commission
ARA	Australian Retailers Association
AWALI	Australian Work and Life Index
BaMS	Baseline Mothers Survey
BCA	Business Council of Australia
CAA	Childcare Alliance Australia
CALD	Culturally and Linguistically Diverse
CATI	Computer-Assisted Telephone Interviewing
CCIQ	Chamber of Commerce and Industry Queensland
CCIWA	Chamber of Commerce and Industry Western Australia
CDEP	Community Development Employment Projects
DEEWR	Department of Education, Employment and Workplace Relations
EA	Enterprise Agreement
EBA	Enterprise Bargaining Agreement
EEBTUM	Employee Earnings, Benefits and Trade Union Membership
EOWA	Equal Opportunity for Women in the Workplace Agency
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs
FAO	Family Assistance Office
FWA	Fair Work Act
FWO	Fair Work Ombudsman
GFC	Global Financial Crisis
HILDA	Household, Income and Labour Dynamics Australia
HRIS	Human Resources Information System
IFA	Individual Flexibility Arrangements

ISSR	Institute for Social Science Research
KIT	Keeping in Touch
LSAC	Longitudinal Study of Australian Children
LSIC	Longitudinal Study of Indigenous Children
MPMSAA	Master Plumbers and Mechanical Services Association of Australia
NES	National Employment Standards
NFP	Not for Profit
NHMRC	National Health and Medical Research Council
NIRA	National Independent Retailers Association
NLC	Negotiating the Life Course
NMW	National Minimal Wage
NSB	Non-English-Speaking Background
OECD	Organisation for Economic Cooperation and Development
PaETS	Pregnancy and Employment Transitions Survey
PLAS	Parental Leave in Australia Survey
PLP	Parental Leave Pay
PML	Paid Maternity Leave
PND	Postnatal Depression
PPL	Paid Parental Leave scheme (Australian Government)
RAO	Research Administration Officers
SME	Small and Medium Enterprises
UQ	University of Queensland
VACC	Victorian Automobile Chamber of Commerce
WAD	Workplace Agreements Database
WHO	World Health Organization
WRC	Workplace Research Centre

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# Endnotes

- 1 Throughout this report we use the abbreviation PPL to refer to this scheme. Other provisions for paid parental leave, such as those provided by employers, are referred to using other terms.
- 2 Throughout this report we use the abbreviation PPL to refer to this scheme. Other provisions for paid parental leave, such as those provided by employers are referred to using other terms.
- 3 Total fertility rate represents the number of children that would be born to a woman who experienced the current fertility rates at each age throughout her reproductive life (assuming she survived to the end of her reproductive life). It is a synthetic rate that is very useful in assessing change in fertility patterns net of the effects of variation in age distribution of mothers across time.
- 4 EOWA Survey of Reporting Organisations (unpublished). Email Marian Baird and Vanessa Patterson, EOWA, 16 March 2010.
- 5 According to the explanatory notes supplied with the WAD, this estimate is drawn from the information provided to FWA, the AIRC or the Workplace Authority by the employer who lodges the agreement. Where an agreement's employee coverage is not known and the agreement replaces an earlier agreement where employee coverage is known, the employee coverage of the earlier agreement is used. For those agreements still lacking employee coverage, a 'modified mean' is used to estimate employee coverage. The modified mean is generated for each industry group by current quarter removing the largest 5 per cent and smallest 5 per cent of agreements, and then calculating the mean of the remainder. As the number of employees covered by an enterprise agreement frequently changes during the life of an agreement, due to workforce fluctuations, the total number of employees covered is not necessarily indicative of the total current coverage of enterprise agreements.
- 6 SensisR Business Index is a series of surveys of 1800 SMEs, designed to track their confidence and behaviour. Additional questions were asked in the survey for the purposes of this report.
- 7 *FWA 2009* allows awards and agreements to provide for cashing-out, subject to certain conditions, although it is yet to be ascertained how frequently, if at all, provisions for cashing-out are being included in modern awards.
- 8 Fair Work Australia is required to conduct research (initially in relation to the period 2010–13) into requests for flexible working arrangements and for extensions of unpaid parental leave. The research is required to examine the circumstances in which employees make such requests, the outcome of requests and the circumstances in which such requests are refused (s.653(1)(d) *FWA 2009*).
- 9 There is provision in the legislation for exceptional circumstances to be considered where the birth mother is not the primary carer.
- 10 This arrangement applies from 1 July 2011. During the first six months of the scheme (from 1 January 2011 to 30 June 2011), employers could choose to participate in the scheme, otherwise payments will be made through the FAO.
- 11 It is not possible to identify jurisdictional coverage in PLAS, and thus to estimate the proportion of long-term casuals who would have had access to the unpaid leave entitlement at the time of the survey. The data do show that if the entitlement had been available only to permanent employees (as was the case before 2001), only 60 per cent of mothers employed before the birth would have had access.
- 12 As described in detail in Appendix A, BaMS was a survey of a random sample of mothers who gave birth in October or November 2009, and who had received the Baby Bonus. A long version of the survey was given to those who, on the basis of screening questions, would likely have been eligible for PPL had it existed at the time. A short version of the survey was given to other mothers. We refer to the former group as the 'Eligible' sample and the latter as the 'Not eligible' sample.

- 13 Throughout the results from BaMS reported in this chapter, we have conducted analyses of whether mothers in these three special interest groups showed different patterns from the general sample. Where differences were found, we report them. However, to avoid excessive provision of uninformative analyses, we do not provide full tables for these analyses.
- 14 Of course, any mother who is eligible for PPL, but not entitled to statutory parental leave without pay, may be able to negotiate with her employer a period of unpaid leave, and if that is refused, she can choose to resign and take PPL.
- 15 EEBTUM data are sometimes reproduced in other ABS publications—for example, the July 2008 issue of *Australian Labour Market Statistics* (ABS 2008f) included data on maternity leave largely drawn from this series.
- 16 The commercial government sector includes government-owned enterprises and statutory authorities that operate on a commercial basis.
- 17 These are women who said they did not take any of the seven types of leave about which they were asked in BaMS. Across the whole BaMS sample (including PPL-eligible and PPL-ineligible respondents), half of the mothers who did not take any of the seven types of leave either resigned from their jobs when their baby was born (43 per cent) or were dismissed by their employer (6 per cent). Some 12 per cent said that they continued working without taking any leave. Most of the remainder said that they took leave (30 per cent of the total), but when asked said that they did not take any of the seven kinds of leave. These women have been treated as having taken no leave, and probably most had effectively resigned from their jobs.
- 18 The figures from BaMS and PLAS are not strictly comparable since the BaMS population is only those who would have been eligible for PPL and took leave, while the PLAS population is all women who took leave.
- 19 Women were initially asked simply whether they had experienced ‘any problems’ in their workplace while pregnant. Those who sought clarification were told that such problems might include ‘being treated with less respect, difficulty negotiating flexible work hours or getting information on maternity leave, being dismissed or made redundant, or other problems’.
- 20 Those seeking clarification were told that such assistance might include ‘being given lighter duties, receiving paid time off for antenatal appointments, being given flexible leave or flexible hours arrangements, or other assistance’.
- 21 It is not possible to explain this pattern from BaMS. However, the issue will be examined in future surveys undertaken for the evaluation. These may make it possible to better understand the pattern, if it is found again.
- 22 Our analysis has not indicated why this is the case. Further research would be required to investigate this pattern.
- 23 These are women who said they did not take any of the seven types of leave about which they were asked in BaMS (see Section 5.2). Across the whole BaMS sample (including PPL-eligible and PPL-ineligible respondents), half of mothers who did not take any of the seven types of leave either resigned from their jobs when their baby was born (43 per cent) or were dismissed by their employer (6 per cent). Some 12 per cent said that they continued working without taking any leave. Most of the remainder said that they took leave (30 per cent of the total), but when asked said that they did not take any of the seven kinds of leave. These women have been treated as having taken no leave, and probably most had effectively resigned from their jobs.
- 24 The ‘full operation of the scheme’ refers to the time when the employer role in providing PLP has commenced and is no longer optional for employers.

**Appendix B:**

- 25 'EOWA Survey of Reporting Organisations' (unpublished), email Marian Baird and Vanessa Patterson, EOWA, 16 March 2010.
- 26 Although followed up by the researchers, lack of time was generally given as the reason for not being available for interview.
- 27 A secondary school.
- 28 A small hairdresser.
- 29 A hotel and a large retailer of food.
- 30 Two large manufacturers.
- 31 A pharmacy.
- 32 A law firm.
- 33 An organisation in the transport industry.
- 34 A property developer.
- 35 For further details on the reasons for this industrial composition, and the strategies used to try to maximise employer diversity, see Appendix A.
- 36 In some organisations due to, for example, takeovers of other companies, a few employees remained on conditions not summarised here.
- 37 This may be possible in some other organisations where fathers were eligible for primary carers leave and it was said they could access this by having a day or two a week off— that is, working part time.
- 38 The organisation's grant funds were reduced and most of its funding was then derived from a competitively won contract to provide a job search or a placement service.
- 39 Defined here to mean the payment covering several weeks available to the primary carer or mother.
- 40 At least three organisations made this arrangement available to employees.
- 41 One employer provided two paid days and three unpaid.
- 42 One of the public-sector organisations had a way of dealing with this which seemed as if it would remove most of the cost of paying paid parental leave from the employing unit.
- 43 In the federal election before the interviews, it was announced that Paid Paternity Leave would commence in 2012. It has since been rescheduled to start in 2013.
- 44 See footnote 36. Such policies can be contractually binding on employers in relation to existing employees in some circumstances (see J Riley 2009).
- 45 S.71(1) and s.72 (1) *FWA 2009*. The government currently advises that 'returning to work for the purpose of keeping in touch with the workplace may affect an employee's entitlement to unpaid parental leave ... [as] parental leave must be taken in a single continuous period [under the *FWA 2009*, see fn. 21]. Amendments under the *FWA 2009* will shortly be introduced to enable the KIT days to interrupt the unpaid parental leave period as well as the paid period' (FaHCSIA, 2011).
- 46 See <[www.centrelink.gov.au/internet/internet.nsf/businesses/ppl\\_toolkit.htm](http://www.centrelink.gov.au/internet/internet.nsf/businesses/ppl_toolkit.htm)>.
- 47 The *FWA 2009* provides for 12 months leave for both employee partners, to be taken within the first 24 months of the child's life. Each partner has the right to request a further 12 months, which can be refused on reasonable business grounds. Any period on top of 12 months taken by one partner is

deducted from the 12 months available to the second partner. Three weeks is available for the parent not taking longer leave initially, at the time of the birth. With the right to leave goes the right to return to the employee's previous job (subject to certain conditions) at the conclusion of the leave. Eligibility for leave and the right to return is limited to permanent employees with 12 months' service at the date of birth and to long-term, ongoing casuals with 12 months' service.

- 48 Around 18 per cent according to Productivity Commission estimates (Productivity Commission 2009). The final scheme is very similar to that proposed by the Commission. Professor Andrew Stewart commented in his submission to the Senate Community Affairs Committee Enquiry into the Exposure Draft of the Paid Parental Leave Bill 2010 (Stewart, 2010) that eligibility for the government payment is wider than the right to unpaid parental leave and return to their job provided to employees under the *FWA 2009*. As the Productivity Commission had noted, he indicated a proportion of workers will receive the government payment who have no right to leave or return to their job under the *FWA 2009*.
- 49 There were about 40 casuals.
- 50 Her reply summarised her general experience of working with Indigenous women, not just at her current workplace.
- 51 With a return-to-work bonus equivalent to two weeks' pay.
- 52 Child care, Education A, Hairdresser, Hotel, Indigenous, Legal B, Pharmacy.
- 53 Employers in this group self-identified. Those referred to here had less than 1 per cent of their employees taking maternity leave per annum.
- 54 Interviewees provided approximate figures for the previous 12 months. It is not always known whether the statistics provided were both those going on paid and unpaid maternity leave.
- 55 One noted the importance for their organisation of the fact that employers do not need to administer the scheme until July rather than January 2010.
- 56 ManuCo B were doing this for most employees except some for payroll administration reasons.
- 57 Employers are not required to provide PLP to contractors and will never receive an employer determination for them unless they opt in for this type of employee.
- 58 The government also held a consultation process with a range of stakeholders and formed an advisory committee.
- 59 This is paid in addition to the government's 18 weeks at the NMW, phone conversation with author, Rio Tinto Chief Advisor Employee relations, 18 March 2011.

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