

11.7 PATERNITY LEAVE FOR MINISTERS

DEFINITIONS

11.7.1 In these By-laws, "Minister" shall mean Minister of the Word, Deacon, Deaconess, Lay Pastor, person accredited to the specified ministry of Youth Worker, Ministry Intern and candidate for ministry in approved placement".

PURPOSE OF PATERNITY LEAVE

11.7.2 The purpose of paternity leave is to provide opportunity for male Ministers to take unpaid leave where necessary to care for a new born child during the initial months following the birth.

ELIGIBILITY FOR PATERNITY LEAVE

11.7.3 To be eligible for paternity leave a Minister shall:

- a. Be placed in an Approved Placement in a Congregation, Presbytery or Synod Placement under Regulation 2.4.5(a) or such other placement as the Synod may determine. A Minister serving in an Ecumenical appointment or Approved Placement in a supply capacity or on a casual or seasonal basis will not be entitled to paternity leave as set out under these by-laws.
- b. Be receiving remuneration for service at least half time.
- c. Have served continuously in an Approved Placement in the Uniting Church in Australia for at least twelve (12) months immediately preceding the date upon which he proceeds upon such leave.
- d. Provide to the General Secretary of the Synod, a certificate from a duly qualified medical practitioner stating the presumed date of the confinement of the Minister's spouse together with a statement confirming that the Minister's spouse will not be taking maternity leave at the same time in relation to the forthcoming child.
- e. Give not less than three (3) months notice in writing of the date upon which he proposes to commence paternity leave, stating the period of leave to be taken. Notice shall be given to the following bodies:
 - Ministers in Congregation Placements: To the Church Council and the Presbytery PRC
 - Ministers in Presbytery Placements: To the General Secretary of the Synod and the Chairperson of the relevant Commission, Council or Board.

- Ministers in Synod Placements: To the Standing Committee.

PERIOD OF LEAVE AND COMMENCEMENT OF LEAVE

- 11.7.4
- a. The period of paternity leave shall be for an unbroken period of from two (2) to fifty-two (52) weeks.
 - b. The leave may commence from a date preceding the expected date of confinement by agreement with the body referred to in 11.7.3 e.

PAYMENT DURING LEAVE

- 11.7.5
- a. Paternity leave is unpaid leave.
 - b. During a period of paternity leave the Minister may retain access to any vehicle supplied provided that all costs are met by the Minister.
 - c. During the period of unpaid leave up to a maximum of fifty-two (52) weeks, a Minister may take any outstanding annual leave or long service leave and during such leave the Congregation or other body shall be responsible for all normal stipend, allowances and Synod levies for Long Service Leave, Ministers Benefit Fund, Travel Equalisation etc.
 - d. Costs of supply during the period of leave shall be met by the Congregation (or other appropriate body) except that the cost of housing the supply, where the manse is unavailable [see 11.7.6 b.], and costs of travelling to and from the Congregation shall be paid by the Ministers Benefit Fund.
 - e. Where paternity leave extends beyond the period of placement by reason of termination, effluxion of time or any other reason, the Church will only be responsible for payments (if any) until the date of termination of placement.

PATERNITY LEAVE AND OTHER ENTITLEMENTS

- 11.7.6
- a. Unpaid leave shall not break continuity of service but shall not be taken into account in calculating the period of service for any purpose.
 - b. The Minister shall have the right to remain in the manse or, if already living in his own home, shall be paid the accommodation allowance. The Congregation or other employing body shall be reimbursed pro rata by the Ministers Benefit Fund for the period of unpaid leave.
 - c. Paternity leave shall not extend beyond fifty-two (52) weeks without the specific approval of the appointing body and the Presbytery PRC.

- d. Paid sick leave shall not be available to a Minister during his absence on paternity leave or while taking annual leave or long service leave during the period of unpaid paternity leave.

APPROVING BODY

- 11.7.7 In the case of a Minister in a Congregation Placement, paternity leave shall be approved by the Church Council subject to the Presbytery PRC being satisfied with the arrangement for oversight of the Congregation in the Minister's absence. In the case of a Presbytery Placement, the Presbytery PRC shall be the approving body. In the case of a Minister in a Synod Placement, the Standing Committee shall be the approving body and shall, if required, make appropriate arrangements for supply.

DISCRETIONARY POWERS

- 11.7.8 The General Secretary of the Synod may make recommendations to the Stipends Committee concerning cases arising in respect of the application of these by-laws and the Stipends Committee may authorise the General Secretary to vary the application of these by-laws in respect of any such cases.