



Parental Leave Policy and Procedure

Symal Group Limited

Date of adoption: 30/04/2025

1. Overview

Symal understands the importance of family and family friendly workplace practices and supporting a sustainable work-life balance for all Employees.

This parental leave policy strives to create a family friendly environment where Employees can balance their career and their family transitions.

This policy applies to all Employees not covered by an Enterprise Agreement. Where an Employee is covered by an Enterprise Agreement, Employees should refer to the Enterprise Agreement for details and benefits that apply to them.

2. Definitions

‘Symal’ means Symal Group Limited and all its subsidiaries.

‘Day of Placement’ means where a child is adopted, the day of placement is the earlier of either the day on which the Employee first takes custody of the child for adoption or the day on which the Employee starts any travel that is reasonably necessary to take custody of the child for adoption.

‘Employee’ means a full time, part time, casual or volunteer Employee of Symal and includes directors, contractors and agents of Symal, not covered by an Enterprise Agreement.

‘FW Act’ means the Fair Work Act 2009 (Cth), associated legislation and regulations as updated and amended from time to time.

‘Miscarriage’ means the cessation of pregnancy before the 20th week of gestation.

‘Parent’ means an Employee who has direct responsibility to care for a child regardless of marital status such as those in a de facto relationship and/or LGBTQI+ couple. This is inclusive of adoptive parents, biological parents and those in a surrogacy arrangement.

‘Partner’ means the Parent (regardless of gender) who has lesser responsibility for the day-to-day care of the newborn child and the newborn child’s needs. The Partner is usually the Primary Carer’s partner, spouse or the child’s biological father.

‘Primary Carer’ means the Parent (regardless of gender) who has greater responsibility for the day-to-day care of the newborn child and the newborn child’s needs, or adopted a child under 12 years of age.

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‘Stillbirth’ means the death of a baby before or during birth, from the 20th week of pregnancy onwards.

3. Responsibilities

Under this Policy, the following Departments have the following responsibilities:

Actions	Responsible party
Approval to take leave	Each departmental manager
Processing payments and keeping records of leave entitlements and accruals	Payroll
Management of employment obligations with respect to leave entitlements	Human Resources

4. Regulatory Requirements

- Fair Work Act 2009 (Cth)
- Fair Work Regulations 2009 (Cth)

5. Policy and Procedure

Symal acknowledges the importance of an Employee’s parental and family responsibilities by helping Employees achieve genuine work life balance. Symal recognises that Employees who feel valued and supported are more likely to remain attached to their workplace and be flexible and committed Employees.

Parental leave allows Employees to take time away from work for the birth or adoption of a child. The term ‘parental leave’ encompasses several types of complementary entitlements, including:

- Unpaid Parental Leave
- Government Paid Parental Leave Scheme
- Symal-funded Paid Parental Leave
- The right to return to work.

5.1 National Employment Standards (NES)

Under the National Employment Standards (NES) contained in the Fair Work Act 2009 (Act), Employees may be eligible for unpaid or government funded paid parental leave.

The Act prevails over this Policy to the extent of any inconsistency between the two, except where the Policy provides additional benefits to those contained in the NES on parental leave. However, these additional benefits are provided at the discretion of Symal and do not create legally enforceable entitlements.

5.2 Unpaid Parental Leave

Under the NES, Employees with 12 months or more of continuous service with an Employer are entitled to take up to 12 months of unpaid parental leave from work, with the right to request an additional 12 months of unpaid parental leave subject to the requirements of the Act. Employees who are pregnant and who are eligible for unpaid parental leave can choose to take some of their leave in a flexible way before the birth of their child. They can take flexible unpaid parental leave up to 6 weeks before the expected date of birth or date of placement.

An Employee who experiences a stillbirth or the death of a child during the first 24 months of life can take up to 12 months unpaid parental leave and may be entitled to take compassionate leave.

5.3 Government Paid Parental Leave Scheme

The Government-funded Paid Parental Leave scheme is designed to complement the Employee's parental leave entitlements with Symal. The scheme provides payments based on the weekly rate of the national minimum wage for a maximum period to eligible Employees but does not provide a new entitlement to leave.

Eligible Employees can claim as any of the following:

- A single block
- Multiple smaller blocks
- Single days
- Smaller blocks combined with single days

Eligible Employees can get Government Parental Leave Pay before, during or after any paid or unpaid employer funded leave. This includes all of the following:

- Maternity or parental leave
- Annual leave
- Long service leave

For more information about eligibility, claiming timeframes, and making a claim for the Government Paid Parental Leave Scheme, refer to Services Australia (<https://www.servicesaustralia.gov.au/parental-leave-pay>).

5.4 Pre-natal Leave

Pre-natal Leave is paid leave and allows an Employee to attend regular medical appointments in the course of their pregnancy or their spouse or domestic partner's pregnancy. There is no limit to the amount of leave an Employee can apply for however, the Employee's manager

should consider the operations implications of the Employee's absence to ensure minimal impact on the work unit prior to any approval.

The Employee should notify their Manager of their requirement to take pre-natal leave at least 7 days prior to the medical appointment. Immediately following the leave, the Employee must apply for Pre-natal Leave attaching a medical certificate or other relevant evidence to support the request.

5.5 Symal-Funded Paid Parental Leave

5.5.1 Eligibility

In order to be eligible for the Symal-Funded Paid Parental Leave, Employees must:

- Have completed at least 12 months of continuous service with Symal; and
- Where an Employee has received the Symal-Funded Paid Parental Leave, they must return to work for at least 12 months before becoming entitled to another period of Symal's Paid Parental Leave for another child.

5.5.2 Commencement

Symal's Paid Parental Leave must be taken in one continuous period at or around the time of the birth of the baby or placement

Employees who are pregnant may commence leave up to 6 weeks before the expected date.

5.5.3 Entitlement for Primary Carer

In addition to any Government Paid Parental Leave Scheme entitlements, Primary Carers will be entitled to the following:

- Paid Parental Leave of 12 weeks at full salary or 24 weeks at half salary. Amounts payable shall be based on the:
 - Weekly base salary at the time of commencing parental leave for salaried Employees (pro-rata for part-time Employees).
 - Eligible casual Employees will be paid at the rate of their hourly rate of pay immediately prior to taking Symal-Funded Paid Parental Leave, multiplied by their base hours of work.
- Superannuation contributions will be made on paid and unpaid parental leave for a total period of up to 52-weeks. If an Employee chooses to extend their parental leave for a further period, superannuation contributions will not be made on the extended period of leave.
- Long service leave entitlements will continue to accrue whilst on paid and unpaid parental leave for a total period of up to 52-weeks. If an Employee chooses to extend their parental leave for a further period, long service leave entitlements will not be accrued on the extended period of leave.

- Recognising the time restraints placed on new parents during the arrival of a new child/children into the family, Symal will offer a \$1,000 voucher. To assist with expenses. This must be redeemed within three months of the child's birth or adoption date.

5.5.4 Entitlement for Partners

The motivation for providing paid parental leave for Partners is to allow the opportunity to bond with their child immediately following the child's birth or adoption.

In addition to any Government Paid Parental Leave Scheme entitlements, Partners will be entitled to the following:

- Paid Partners Leave of 2 weeks at full salary or 4 weeks at half salary. Amounts payable shall be based on the:
 - Weekly base salary at the time of commencing Partners Leave for salaried Employees (pro-rata for part-time Employees).
 - Eligible casual Employees will be paid at the rate of their hourly rate of pay immediately prior to taking Symal-Funded Paid Parental Leave, multiplied by their base hours of work.
- Leave may commence within 3 months of the child's birth or adoption.
- Superannuation contributions will be made on paid and unpaid Partner leave for a total period of up to 52-weeks. If an Employee chooses to extend their unpaid Partner leave for a further period, superannuation contributions will not be made on the extended period of leave.
- Long service leave entitlements will continue to accrue whilst on unpaid Partner leave for a total period of up to 52-weeks. If an Employee chooses to extend their unpaid Partner leave for a further period, long service leave entitlements will not be accrued on the extended period of leave.
- Recognising the time restraints placed on new parents during the arrival of a new child/children into the family, Symal will offer a \$1,000 voucher. To assist with expenses. This must be redeemed within three months of the child's birth or adoption date.

A Partner can be a Primary Carer on the provision that the other Partner will immediately return to full-time employment after giving birth.

Where a Partner nominates themselves to be the Primary Carer because their Partner will immediately return to work after giving birth, they will need to provide a letter from their Partner's employer confirming that they are returning full-time and the effective return to work date in addition to the Notice and Evidence requirements outlined in section 6.

5.5.5 Surrogacy

- A birth mother who relinquishes a child born out of a surrogacy arrangement is covered as part of Symal's-Funded Paid Parental Leave.
- An Employee who is the intended parent of the child born out of a surrogacy arrangement is covered as part of Symal's-Funded Paid Parental Leave.

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6. Notice and Evidence

Employees need to provide their Manager with written notice of intention to take paid/unpaid parental leave at least 10 weeks in advance. This written notice must:

- Specify the intended parental leave period including the start and finish dates, which must be confirmed at least 4 weeks before the leave commences
- For the purposes of accessing Symal-Funded Paid Parental Leave, eligible Employees must nominate themselves as either the 'Primary Carer' or 'Partner' and this status shall apply at least 10 weeks before the birth and cannot be changed for 52 weeks after the birth or adoption of a child.

Both Primary Carers and Partners must provide evidence of the birth, adoption, or surrogacy (for example a medical certificate or birth certificate showing the expected or birth date of the child. For adoption related leave an integrated birth certificate, or certificate of adoption).

An Employee cannot nominate themselves as both a Primary Carer and Partner.

6.1 Partner is nominated as Primary Carer

A Partner who satisfies the eligibility requirements in section 5.5 and wishes to apply as the Primary Carer under the Symal-Funded Paid Parental Leave will need to provide the following evidence:

- A letter from their Partner's employer confirming that they are immediately returning to full- time employment after giving birth and the effective return to work date;
- A statutory declaration confirming:
 - For the entire duration of the Symal-Funded Paid Parental Leave Period (**Period**), the Partner intends to be the 'Primary Carer' of the child as defined in this Policy;
 - The Partner understands that if, at any time during the Period, they cease to be the 'Primary Carer' of the child, they are required to immediately advise Symal Payroll and will cease to be entitled to the Symal-Funded Paid Parental Leave; and
 - The Partner's spouse/de facto partner:
 - Has not arranged to take unpaid parental leave from their employer immediately following the birth of the child;
 - Has not applied for, and does not expect to receive the Government Paid Parental Leave Pay scheme entitlement during the Period; and
 - If they are a Symal Employee – is not in receipt of (and has not made any application for) Symal-Funded Paid Parental Leave.

7. Variation to the Period of Parental Leave

An Employee may request an extension of parental leave for an additional period of up to 12 months, subject to their Manager's agreement, but cannot extend this leave beyond 24 months in total.

An Employee wishing to extend their leave must notify their Manager in writing of the extension and the date on which they now intend to return to work at least 4 weeks before their expected return date and seek agreement to the further extension.

Employees may bring forward their return-to-work date by agreement with Symal. Employees are required to request their early return to work in writing with their Manager no later than 4 weeks prior to their intended early return to work date.

Symal may approve or deny requests subject to reasonable business grounds.

8. Illness during Pregnancy

If due to illness associated with their pregnancy, the Employee is unfit for work, they can elect to use personal leave, annual leave or leave without pay.

9. Transfer to a Safe Job

Pregnant Employees who are unable to continue in their normal role prior to the commencement of Parental Leave are entitled to be transferred to an appropriate safe job during the risk period.

Evidence (e.g. medical certificate) will need to be provided stating the Employee is fit for work, but that it is inadvisable for them to continue in their present position because of illness, or risks arising out of the pregnancy, or hazards connected with that position.

10. Keeping in Touch (KIT) Days

KIT Days are designed to help Employees keep in touch with Symal whilst on leave and to assist the Employee's return to work. Employees are entitled to 10 KIT days which are paid at the Employee's normal rate of pay. This does not affect their unpaid parental leave entitlements.

11. Return to Work Obligations

Following a period of parental leave, an Employee is entitled to return to their pre-leave position. If that position no longer exists, Symal must offer the Employee a suitable available position which is nearest in pay and status to their original position.

Employees returning from parental leave can request flexible working arrangements where reasonable and if the nature of work allows. Please refer to the '*Flexible Work Arrangements Policy and Procedure*' for more information.

If an Employee has received Symal-Funded Paid Parental Leave, it is a condition of payment that the Employee must return to work for:

- The period of leave taken; and/or

- The period it takes for the Employee to earn salary equivalent in aggregate to the cash value to the return-to-work conversion option benefit received.

The Employees return to work period commences immediately when you start back at work (including under a return-to-work conversion option) but excludes any periods of leave following your return.

12. Special Leave

A pregnant Employee who has 12 months or more of continuous service and experiences a:

12.1 Miscarriage

In the event of a miscarriage, prior to 12 weeks gestation, Employees are eligible for (capped to twice a year):

- Primary Carer: 2 days paid Special Leave
- Partner: 1 day paid Special Leave

In the event of a miscarriage, between 12- and 19-weeks' gestation, Employees are eligible for (capped to twice a year):

- Primary Carer: 2 weeks paid Special Leave
- Partner: 2 days paid Special Leave

In these situations, and whenever practical, Employees may be requested to provide a medical certificate or written evidence.

12.2 Stillbirth

Employees eligible for unpaid parental leave and the Symal-Funded Paid Parental Leave (Primary Carer or Partner) remain entitled to each type of leave in the case of a Stillbirth.

The entitlements, eligibility requirements, notice and evidence requirements in relation to unpaid parental leave and Symal-Funded Paid Parental Leave apply to an Eligible Employee as they would have had the Stillbirth not occurred.

Employees are also entitled to take Special Leave in conjunction with any personal, bereavement, annual or long service leave.

13. Impact of Paid Parental Leave on other benefits

13.1 Annual salary reviews

Employees who are on Parental Leave during the annual review period will still be eligible for review through the Performance Review Process.

13.2 Laptops, phones, and other devices

Employees can keep their work laptop, mobile phone and any other devices during their Parental Leave so that they can keep in touch with their colleagues and what is happening

around the business. There is no obligation for the employee to do this and how much they choose to keep in touch is at the discretion of the employee.

13.3 Benefits

Employees may continue to access company benefits such as our EAP service.

14. Enforcement

Employees must comply with the requirements of this policy. Any breach of this Policy may result in disciplinary action up to, and including, termination of employment.

15. Document Review

Symal reserves the right to vary, replace or terminate this Policy from time to time.