Parental Leave A User Friendly Guide

From: Ethos September 2012

When a legal text claims to be a User Friendly guide, a reader expects that the authors have presented the topic without the need for a law degree to understand it. Erin McCarthy, Elise Jenkin and Andrew Stewart in *Parental Leave A User Friendly Guide* (Thomson Reuters 2012) have achieved this. Considering that most users of the Government paid parental leave scheme will be employees and employers, the book provides a practical step by step guide through the various pieces of legislation that will impact upon a person's entitlement to parental leave and to parental leave pay. A user does not have to read the entire text, but can direct their study to areas such as eligibility requirements, how parental leave may be structured, the making and dealing with applications for parental leave pay, starting and ending parental leave and payments during leave. This structure means that at times the text can be quite repetitive but at least it reduces the occurrences of tiresome cross referencing to other chapters.

The most important message from the book is that the entitlements to parental leave (as governed by the *Fair Work Act*) and the entitlements to parental leave pay (*Paid Parental Leave Act*) are quite distinct. The examples and case studies show that the entitlement to parental leave pay is not as clear cut as the Family Assistance Office website might suggest. Accordingly for those people advising employees and employers it emphasises the need to check a person's entitlement to paid parental leave rather than just assume it will be available.

For those advising employees, the chapter on "How Parental Leave may be Structured" is very helpful in advising clients on how to take full advantage of these benefits in combination with other leave entitlements. Finally, the chapters "Keypoints" for Employees and Employers are a quick reference check that can be used by advisors and users alike.

Jane Campbell Women's Legal Centre (ACT & Region)