

# EXTRACT

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## **28. MATERNITY LEAVE**

- 28.1** An employee who has completed twelve months continuous service and who submits to the employer a certificate from a registered medical practitioner stating that she is pregnant and specifying the expected date of delivery shall be entitled to:
- 28.1.1** leave on full pay for a continuous period of twelve weeks to be taken within the period commencing six weeks prior to the expected date of delivery or such earlier date in the case of a premature delivery;
  - 28.1.2** additional leave with or without pay as will bring the aggregate leave to a continuous period of up to twelve months.
- [28.1.3 inserted by [PR969417](#) ppc 07Mar06]
- 28.1.3** Notwithstanding clauses 28.1.1 and 28.1.2 above, an eligible casual employee is only entitled to unpaid leave for a period not exceeding 52 weeks.
- 28.2** The employer may direct an employee to commence maternity leave at any time within six weeks before the expected date of birth, except where the employee provides to the employer a medical certificate confirming her fitness for duty.
- 28.3** The employee shall provide written notice to the employer not less than four weeks preceding the date upon which she proposes to commence maternity leave stating the period of leave to be taken save that the employer may waive the requirement for notice.
- 28.4** An employee whose pregnancy, having proceeded for a period of not less than twenty weeks, terminates by miscarriage or results in a still-born child, shall be entitled to:
- 28.4.1** paid leave as per 28.1.1 or where the employee has commenced such leave, that period of paid leave outstanding;
  - 28.4.2** such leave without pay as will bring the aggregate leave to a continuous period not exceeding six calendar months or to such longer period as may be certified by a medical practitioner up to a maximum of twelve calendar months.

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