



New South Wales

Industrial Relations Amendment (Casual Employees Parental Leave) Bill 2001

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The *Industrial Relations Act 1996* provides that a casual employee is entitled to unpaid parental leave if the employee has worked on a regular and systematic basis with the same employer for at least 2 years (being an employee who has a reasonable expectation of on-going employment on that basis). Other employees (including full-time or part-time employees) become entitled to unpaid parental leave after 1 year of service with the same employer.

The object of this Bill is to provide those casual employees with the same entitlement to unpaid parental leave as other employees by conferring that entitlement after 1 year of work on a regular and systematic basis with the same employer.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision giving effect to the amendments to the *Industrial Relations Act 1996* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] amends section 57 of the Act to give effect to the object outlined above.

Schedule 1 [2]–[4] make saving and transitional provisions, including provision to extend the benefit of the amendment to existing employees and to enable a period of employment before the commencement of the proposed Act to be taken into account.



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New South Wales

Industrial Relations Amendment (Casual Employees Parental Leave) Bill 2001

No , 2001

A Bill for

An Act to amend the *Industrial Relations Act 1996* in relation to parental leave for casual employees.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Industrial Relations Amendment (Casual Employees Parental Leave) Act 2001</i> .	3 4
2 Commencement	5
This Act commences on the date of assent.	6
3 Amendment of Industrial Relations Act 1996 No 17	7
The <i>Industrial Relations Act 1996</i> is amended as set out in Schedule 1.	8

Schedule 1 Amendments

1

(Section 3)

2

[1] Section 57 Length of service for eligibility

3

Omit “24 months” from section 57 (3). Insert instead “12 months”.

4

[2] Schedule 4 Savings, transitional and other provisions

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Insert at the end of clause 2 (1):

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*Industrial Relations Amendment (Casual Employees Parental
Leave) Act 2001*

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[3] Schedule 4, clause 13A Parental leave for casual employees—Industrial Relations Amendment Act 2000 and Industrial Relations Amendment (Casual Employees Parental Leave) Act 2001

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Insert “or the *Industrial Relations Amendment (Casual Employees Parental
Leave) Act 2001*” after “2000” in clause 13A (1).

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[4] Schedule 4, clause 13A (2)

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Insert “(as in force before the commencement of the *Industrial Relations
Amendment (Casual Employees Parental Leave) Act 2001*) or for the
purposes of the 12-month qualifying period of service referred to in section
57 (3) (as in force after the commencement of that Act)” after “section
57 (3)”.

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