

Work & Family Test Case

The ACTU Work and Family Test Case seeks flexible choices for employees at different stages of family life by establishing new standards in Federal industrial awards that cover over 1.6 million people. Over time these rights will extend to 4.6 million people with caring responsibilities

Key ACTU claims are:

- Choice for parents to take unpaid leave from work for up to two years following the birth of a child – an extension from the current one year entitlement to parental leave.
- The option for full time employees returning from parental leave to return to work on a part time basis until their child is at school.
- Ability for employees to “buy” through ‘salary sacrificing’ up to six weeks a year extra annual leave that could be used for school holidays.
- Flexible start and finish times so that parents and carers can pick up or deliver children to school or child care.

Settled claims:

- Unions reached an agreement with employers in June this year on a new right for people to take leave for family emergencies or to care for a sick child or relative without the threat of losing their job.

The Case responds to major social changes that have intensified pressure on employees struggling to balance work and family life:

- The proportion of couples with children in Australia where both parents work increased from 44% in 1981 to 62% in 2000.
- The proportion of single mothers in paid work increased from one-third in 1985 to one-half in 2003.
- Most coupled mothers (54%) return to work before their child’s second birthday
- The proportion of partnered mothers who worked with children aged less than 12 months more than doubled from 17% in 1976 to 36% in 2001.
- 68% of Australian women aged 25-54 work (2001 OECD)
- 57% of employed mothers are part time – 66% of part time jobs are casual
- 40% of employed mothers have no leave entitlements (ABS)
- 60% of full time mothers would prefer part time work (AIFS)
- 80% of prime age workers want 24 months unpaid parental leave (ACTU)
- 2.5 million Australians care for someone because of their disability or age
- Various state based surveys estimate that 45% of employees (up to 4.5 million Australia-wide) have some form of caring responsibilities

(All sources: Australian Bureau of Statistics unless stated otherwise)

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