

*Your responses suggest that you have not completed the required 12 months continuous service by the date your UPL would start. So, you may not be entitled for UPL.*

## **70 Entitlement to unpaid parental leave**

An employee is entitled to 12 months of unpaid parental leave if:

- (a) the leave is associated with:
  - (i) the birth of a child of the employee or the employee's spouse or de facto partner; or
  - (ii) the placement of a child with the employee for adoption; and
- (b) the employee has or will have a responsibility for the care of the child.

*Note: The employee's entitlement under this section may be affected by other provisions of this Division.*

## **67 General rule—employee must have completed at least 12 months of service**

### *Casual employees*

- (2) A casual employee, is not entitled to leave (other than unpaid pre-adoption leave or unpaid no safe job leave) under this Division unless:
  - (a) the employee is, or will be, immediately before the date that applies under subsection (3), a regular casual employee of the employer who has been employed on that basis for a sequence of periods of employment during a period of at least 12 months; and
  - (b) but for:
    - (i) the birth or expected birth of the child; or
    - (ii) the placement or the expected placement of the child; or
    - (iii) if the employee is taking a period of unpaid parental leave that starts under subsection 71(6) or paragraph 72(3)(b) or 72(4)(b)—the taking of the leave;the employee would have a reasonable expectation of continuing employment by the employer on a regular and systematic basis.

### *Date at which employee must have completed 12 months of service*

- (3) For the purpose of subsections (1) and (2), the date that applies is:
  - (ii) if the leave is adoption-related leave—the day of placement, or the expected day of placement, of the child; or

### *Meaning of day of placement*

- (6) The **day of placement**, in relation to the adoption of a child by an employee, means the earlier of the following days:
  - (a) the day on which the employee first takes custody of the child for the adoption;
  - (b) the day on which the employee starts any travel that is reasonably necessary to take custody of the child for the adoption.

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