

## **75 Extending period of unpaid parental leave—extending to use more of available parental leave period**

### *Application of this section*

- (1) This section applies if:
  - (a) an employee has, in accordance with section 74, given notice of the taking of a period of unpaid parental leave (the ***original leave period***) under section 71 or 72; and
  - (b) the original leave period is less than the employee's available parental leave period; and
  - (c) the original leave period has started.
- (2) The employee's ***available parental leave period*** is 12 months, less any periods of the following kinds:
  - (a) a period of concurrent leave that the employee has taken in accordance with subsection 72(5);
  - (b) a period of unpaid parental leave that the employee has been required to take under subsection 73(2) or 82(2);
  - (c) a period by which the employee's entitlement to unpaid parental leave is reduced under paragraph 76(6)(c);
  - (d) if the employee has given notice in accordance with subsection 74(3A) or (3B) of the taking of flexible unpaid parental leave—a period equal to the employee's notional flexible period.

### *First extension by giving notice to employer*

- (3) The employee may extend the period of unpaid parental leave by giving his or her employer written notice of the extension at least 4 weeks before the end date of the original leave period. The notice must specify the new end date for the leave.
- (4) Only one extension is permitted under subsection (3).

### *Further extensions by agreement with employer*

- (5) If the employer agrees, the employee may further extend the period of unpaid parental leave one or more times.

### *No entitlement to extension beyond available parental leave period*

- (6) The employee is not entitled under this section to extend the period of unpaid parental leave beyond the employee's available parental leave period.