

### **81A Paid no safe job leave**

- (1) If:
- (a) section 81 applies to a pregnant employee but there is no appropriate safe job available; and
  - (b) the employee is entitled to unpaid parental leave; and
  - (c) the employee has complied with the notice and evidence requirements of section 74 for taking unpaid parental leave;
- then the employee is entitled to paid no safe job leave for the risk period.
- (2) If the employee takes paid no safe job leave for the risk period, the employer must pay the employee at the employee's base rate of pay for the employee's ordinary hours of work in the risk period.

### **82 Employee on paid no safe job leave may be asked to provide a further medical certificate**

*Employer may ask employee to provide a medical certificate*

- (1) If an employee is on paid no safe job leave during the 6 week period before the expected date of birth of the child, the employer may ask the employee to give the employer a medical certificate stating whether the employee is fit for work.

Note: Personal information given to an employer under this subsection may be regulated under the *Privacy Act 1988*.

*Employer may require employee to take unpaid parental leave*

- (2) The employer may require the employee to take a period of unpaid parental leave (the ***period of leave***) as soon as practicable if:
- (a) the employee does not give the employer the requested certificate within 7 days after the request; or
  - (b) within 7 days after the request, the employee gives the employer a certificate stating that the employee is not fit for work.

*Entitlement to paid no safe job leave ends*

- (3) When the period of leave starts, the employee's entitlement to paid no safe job leave ends.