

You have an obligation to provide evidence.

74 Notice and evidence requirements

General requirement to give notice of taking leave

- (1) An employee must give his or her employer written notice of the taking of unpaid parental leave under section 71 or 72, or flexible unpaid parental leave, by the employee.

Notice requirements—leave to be taken under section 71 or 72

- (2) If the leave is to be taken under section 71 or 72, the employee must give the notice to the employer:
 - (a) at least:
 - (i) 10 weeks before starting the leave, unless subparagraph (ii) applies; or
 - (ii) if the leave is to be taken in separate periods of concurrent leave (see paragraph 72(5)(b)) and the leave is not the first of those periods of concurrent leave—4 weeks before starting the period of concurrent leave; or
 - (b) if that is not practicable—as soon as practicable (which may be a time after the leave has started).
- (3) The notice must specify the intended start and end dates of the leave.

Evidence requirements

- (5) An employee who has given his or her employer notice of the taking of unpaid parental leave must, if required by the employer, give the employer evidence that would satisfy a reasonable person:
 - (b) if the leave is adoption-related leave:
 - (i) of the day of placement, or the expected day of placement, of the child; and
 - (ii) that the child is, or will be, under 16 as at the day of placement, or the expected day of placement, of the child.

Compliance

- (7) An employee is not entitled to take unpaid parental leave under section 71 or 72, or flexible unpaid parental leave, unless the employee complies with this section.