

**MINISTRY OF EMPLOYMENT, PRODUCTIVITY & INDUSTRIAL RELATIONS**



**PUBLIC NOTICE**

**Employment Relations (Budget Amendment) Act 2018**

The Ministry of Employment, Productivity and Industrial Relations after receiving queries and complaints wishes to advise all employers and workers of the new leave provisions entitlement under the Employment Relations (Budget Amendment) Act 2018, effective 1<sup>st</sup> January, 2019.

Family Care Leave and Parental Leave

**What is Family Care Leave?**

Family Care Leave can be taken by workers who wish to provide care and support to members of his/her immediate family or a member of the workers' household.

**Who is eligible for Family Care Leave?**

- Employees who have completed the more than 3 months of continuous service with the same employer

**Family Care Leave entitlements include:**

- paid family care leave of not less than 5 working days of each year of service;

**Note:** Unutilised Family Care Leave cannot be used the following year

**What is Parental Leave?**

Parental leave is leave that can be taken when:

- an employee gives birth ( Maternity Leave)
- an employee's spouse or de facto partner gives birth; have or will have responsibility of a primary caregiver of the child (Paternity Leave)

**Maternity Leave & Paternity Leave entitlement includes:**

- 98 consecutive days' maternity leave
- full pay for the first 3 births
- half pay from 4th birth and thereafter
- a right to return on the same or higher position without any loss of salary, wages, benefits and seniority
- paternity leave of 5 working days; taken in a lump sum or shorter period amounting to not less than 5 working days

**Note:** A certificate from a registered medical practitioner or registered nurse specifying the possible date of birth must be provided to the employer by the employee on application of the maternity and paternity leave.

Employers that fail to comply with the new leave provisions are liable on conviction, for an individual a fine not exceeding \$10,000 or a term of imprisonment not exceeding 2 years or both; and for a company or corporation a fine not exceeding \$50,000.

Workers and employers are requested to visit the nearest Ministry of Employment office for any clarifications on the new and amended leave provisions or contact the Director Labour Standard Services, Mr. Atish Kumar on phone 3314 999 / 9906 369 or email [atish.kumar@labour.gov.fj](mailto:atish.kumar@labour.gov.fj); Manager West/North, Mr. Eferemo Ratucooko on 6660 305 / 9906 888 or email [eferemo.ratucooko@labour.gov.fj](mailto:eferemo.ratucooko@labour.gov.fj); Manager Central/Eastern Mr. Joeli Pulu on 9906 131 or email [joeli.pulu@labour.gov.fj](mailto:joeli.pulu@labour.gov.fj)

Osea N Cawaru

**Permanent Secretary for Employment, Productivity and Industrial Relations**