

Fonterra – New Zealand Dairy Workers’ Union Collective Bargaining Agreement

Appendix 3 PARENTAL LEAVE POLICY

This policy has been established in line with our EEO Policy and the requirement to ensure the Company supports the need to establish a balance between work and non-work life for our employees, as well as supporting their careers.

The provisions detailed in this policy are in lieu of those similar provisions contained in the Parental Leave and Employment Protection Act 1987 (the “Act”) (and should thus be read in conjunction with the Act).

Where these definitions and entitlements apply they are in lieu of similar provisions contained in the Act. Nothing in this Policy shall be interpreted as granting the employee double benefits. If matters to do with an entitlement are not referred to in this Policy, then the Act shall prevail.

The following parental leave provisions will apply to all permanent employees, effective from 1 July 1999:

1. PRIMARY CAREGIVER

Definition:

The Primary caregiver is the parent (of the child that this application relates to) or partner of the parent, who, irrespective of marital status, gender or sexual orientation, is intending to be the principal parent looking after the child during paid parental leave. Specifically, the primary caregiver’s sole purpose for leave must be to care for the child. Note that in accordance with the Act, the partner does not have to be married to the child’s mother, however, they must be living together in the nature of marriage.

Note: Where this definition requires further clarification, we will refer to the precedents set under the Act.

Entitlement:

Birth: Every employee shall be entitled to paid parental leave in accordance with this policy.

- Who is the primary caregiver of the child; and
- Who, at the expected date of delivery, will have been for the immediately preceding 12 months employed by the Company in a permanent capacity,

Adoption: Every employee shall be entitled to paid parental leave in accordance with this policy.

- Who is the primary caregiver and assumes the care of the child who is not more than five years old; and
- Who, at the date on which he/she first assumes the care of the child, will have been for the immediately preceding 12 months in the employment of the Company in a

permanent capacity,

Provisions:

1. Twelve weeks paid parental leave at 80% of earnings at time of leave (alternatively, 24 weeks paid leave at 40% of earnings at time of leave). This will offset the government's contribution to paid parental leave.
2. This will be paid at the time the leave is taken.
3. This leave cannot be accrued.
4. The Company will continue deductions for/payment of medical insurance on behalf of the employee for the period for which paid leave is nominated ie 12 or 24 weeks. After this time, continuation of medical insurance is the responsibility of the employee.
5. Up to a further 9 months leave without pay (as under the Act).
6. Paid leave may commence prior to birth/adoption, providing the adequate notice as required by the Act has been provided and approved by relevant manager.
7. Reasonable special paid leave will be provided for pre-natal consultations or interviews/court appearances etc associated with any adoption process.
8. For female employees, reasonable sick leave during pregnancy is deemed to be part of the current sick leave provisions.
9. For female employees, all practical support will be provided during the pregnancy if the employee has difficulty fulfilling the duties required of her. This shall be assessed and negotiated on a needs basis and will be at the discretion of the appropriate Site Manager.
10. Post-birth/adoption, the Company shall provide all reasonable support to make the re-orientation back into the workplace as smooth as possible for both primary caregiver and baby. This may include part-time/reduced hours initially, time for post-natal/plunket/medical appointments, technology to support working from home, meetings set within core hours.
11. The provision of the Kiwi Clubhouse Learning Centre is available to those at Whareroa Site to care for the children. This also includes a room in which breast-feeding/expressing milk can take place.
12. The needs of the individual shall be assessed and negotiated on a needs basis and will be at the discretion of the appropriate Site Manager.
13. The Company will be open to ideas of individual parents where job-sharing or project work whilst on parental leave, for example, may be proposed.

14. Paid Parental Leave is only available twice (parental leave under the Act is available thereafter).

Support Provisions:

1. The Company provides a parental leave information kit that outlines employees' entitlements, responsibilities and options.
2. Guidelines for managers on managing staff prior to, during and on return from parental leave, are available.
3. The Company will consider the following support provisions whilst on parental leave where deemed to be relevant:
 - Invitations to team meetings
 - Input into key decisions affecting her position
 - Invitations to relevant training
 - Invitations to Company events, social club occasions etc.

2. SUPPORT CAREGIVER

Definition:

Either the parent or partner (of the child that this application relates to) of the primary caregiver. Partner refers to any person whose relationship to the primary caregiver is in the nature of marriage, irrespective of marital status, gender or sexual orientation.

Entitlement:

Birth: Every employee shall be entitled to paid parental leave in accordance with this policy.

- Who is the support caregiver; and
- Who, at the expected date of delivery of that child, have been for the immediately preceding 12 months in the employment of the Company in a permanent capacity

Adoption: Every employee shall be entitled to paid parental leave in accordance with this policy.

- Who is the support caregiver; and
- Who, at the date on which the primary caregiver first assumes the care of the child, will have been for the immediately preceding 12 months in the employment of the Company in a permanent capacity

Provisions:

1. In the case of rostered employees, 14 days paid leave at 100% of salary at time of leave. These 14 days are inclusive of rostered days on and rostered days off.

2. This leave may commence on any date, following agreement between the employee and the Company.
3. This leave may be taken within one month prior to the expected date of delivery or adoption or within one month after the actual date of delivery or adoption.
4. This leave cannot be accrued.
5. In extreme/special circumstances, any further paid leave shall be assessed on an individual needs basis at the discretion of, and approval of the relevant Site Manager.
6. Special paid leave shall be granted at the discretion of the employee's manager with regard to attending pre-natal consultations or other requirements/demands at that time specifically relating to the partner's pregnancy.
7. Special paid leave shall be provided for interviews/court appearances etc associated with the adoption process.

Note: The Company has the right to review any application and suggest alternative dates for the leave.

Support Provisions:

- The Company provides a parental leave information kit that outlines employees' entitlements, responsibilities and options.
- Guidelines for managers on managing staff prior to, during and on return from parental leave, are available.