



Reproductive Leave

Frequently Asked Questions

1. What can Reproductive Leave be taken for?

Permanent and Fixed-term employees (excluding casual) can take Reproductive Leave when they:

- (A) have endometriosis, dysmenorrhea, adenomyosis and polycystic ovary syndrome which requires absence from the workplace;
- (B) require medical care for treatment of, or associated with, endometriosis polycystic ovary syndrome (PCOS);
- (C) are undertaking a medical procedure associated with fertility treatment (including egg harvesting or embryo implantation); or
- (D) require treatment associated with reproductive health including, but not limited to, a hysterectomy and vasectomy.

2. Can Reproductive Leave be taken for conditions or circumstances that are not specifically named above, but do fall within one of the four categories?

Yes. For example, treatment associated with menopause or a testicular health condition may fall within subclause (D) of the Reproductive Leave clause.

3. Is Polycystic Ovary Syndrome (PCOS) and Polyendocrine Metabolic Ovarian Syndrome (PMOS) the same thing?

It is noted that Polycystic Ovary Syndrome is now also referred to as Polyendocrine Metabolic Ovarian Syndrome (PMOS).

It is understood the conditions are identical and the symptoms, diagnostic criteria, and treatments remain the same and both terms are used interchangeably.

4. How much Reproductive Leave is a full-time employee entitled to?

Each personal Leave year a full-time employee is entitled to up to 5 days per annum of Reproductive Leave.

The 5-day entitlement is converted to hours in the payroll system based on an employee's ordinary weekly hours and may be taken as full or part days. For example, a full-time employee working 38 ordinary hours per week will have an entitlement of 38 hours of Reproductive Leave per personal leave year.



5. What is the entitlement for a part-time employee?

A part-time employee is entitled to Reproductive Leave on a pro rata basis in direct proportion to the number of hours worked compared to full-time employees.

For example, a part-time employee who works 3 days per week at 7.6 hours per day is employed at 0.6 FTE and would receive 60% of the full-time Reproductive Leave entitlement, being 22.8 hours per personal leave year.

6. What if part-time employee hours change during the personal leave period?

If a part-time employee's hours change during the personal leave year and the employee's hours increase or the employee has been working more than their contracted hours during the personal leave year, the employee may request through their Agency that their balance is reviewed and adjusted for the remainder of the entitlement year.

If a part-time employee's contracted hours decrease during the personal leave period, no adjustment is to be made. Noting that on the commencement of the new personal leave year, the amount of leave an employee is entitled to would be based on their hours at that point in time.

If a full-time employee becomes a part-time employee during the personal leave period no adjustment is made until the following personal leave accrual period.

7. Are Fixed-term Casual Employees entitled to Reproductive Leave?

No - Fixed-Term casual employees are not eligible to access Reproductive Leave.

8. What happens if I exhaust all of my Reproductive Leave before my next accrual?

An employee who exhausts all their Reproductive Leave balance is encouraged to discuss their leave needs with their manager, considering other available leave types and any workplace flexibilities including reasonable adjustments that may assist.

There is no entitlement to unpaid or half pay Reproductive Leave.

9. What is the personal leave year?

The Personal Leave Year for the purposes of Reproductive Leave means 12 months of continuous paid employment from the commencement of an



employee's employment including periods of paid leave. Noting a period of personal leave without pay does not affect the credit of Reproductive leave.

The personal leave year will be different for each employee and is the same as an employee's personal leave year for personal leave purposes. As Reproductive Leave is a new entitlement that commenced 11 May 2026, all eligible employees will have access to up to 5 days Reproductive leave from that date until their next personal leave accrual date.

For example, if an employee's next personal leave date accrual following 11 May is 15 June 2026, any Reproductive Leave balance available from the commencement of the entitlement on 11 May 2026 will be forfeited and a new annual Reproductive Leave entitlement will be available from 15 June 2026. Reproductive Leave is not cumulative from one personal leave year to the next. This means any leave not used within a personal leave year is forfeited and does not carry over into the next personal leave year.

At the beginning of each new personal leave year a new entitlement to Reproductive Leave is credited to the employee based on their contracted hours at that time.

10. What will I be paid if I take a period of Reproductive Leave?

Reproductive Leave is paid the same as personal leave.

An employee who takes a period of Reproductive Leave will be paid their normal rate of pay for the ordinary hours of work for which the employee has been absent. The normal rate of pay includes allowances which would have continued to be paid but for taking Reproductive Leave but excludes overtime and shift penalties.

Reproductive Leave is not available to be taken and paid at half pay.

11. Can I elect to apply for personal leave instead of Reproductive Leave?

Yes - There is no obligation for an employee to make an application for Reproductive Leave. An employee may choose to take personal leave if eligible instead of applying for Reproductive Leave.

12. How can an employee and manager know that a condition or circumstance fits the conditions of Reproductive Leave?

The Reproductive Leave clause provide examples of the conditions and treatment for context for applying for Reproductive Leave.



Eligibility will depend on whether the employee's circumstances fall within one of the four categories of Reproductive Leave. Not all reproductive health conditions, symptoms, appointments or procedures will necessarily be covered.

Employees and managers should exercise reasonable judgement when assessing whether a particular condition or circumstance falls within the scope of the Reproductive Leave clause. Additional guidance is available in the examples below.

13. Can I access Reproductive Leave because I experience period pain?

It will depend on the circumstances. Experiencing period pain alone does not automatically establish an entitlement to Reproductive Leave.

For example, an employee who has been diagnosed with dysmenorrhoea and is unable to attend work because of that condition may be eligible for reproductive leave under (A). However, an employee who experiences period pain but does not have a qualifying condition or is not receiving qualifying treatment would not automatically be entitled to reproductive leave.

14. Can I access Reproductive Leave for an IUD insertion?

It depends on the circumstances. An IUD insertion undertaken solely for contraceptive purposes would not ordinarily be covered by Reproductive Leave.

However, where an IUD is inserted as part of the treatment of a reproductive health condition, Reproductive Leave may be available, subject to the circumstances falling within one of the categories of Reproductive Leave.

15. Can I access Reproductive Leave because I am experiencing menopause symptoms?

Reproductive Leave may be available where an employee is receiving treatment associated with menopause and the circumstances fall within subclause (D).

However, experiencing menopause symptoms alone does not, of itself, establish an entitlement to Reproductive Leave.

16. Can I access Reproductive Leave to attend my pregnancy scans?

No - Attendance at routine pregnancy scans does not ordinarily fall within the circumstances for which Reproductive Leave is available. However, you may be eligible to access Personal Leave (to attend medical appointments), subject to the usual requirements.



17. Can Reproductive Leave be taken for travelling time to/from appointments for reproductive leave conditions purposes?

Yes - Reproductive Leave enables employees to take the leave when they are seeking treatment for reproductive health conditions and this includes reasonable travel time.

18. Can Reproductive Leave be taken for caring purposes?

No - Reproductive Leave is available to the employee when the employee is personally experiencing an ongoing reproductive health condition or receiving treatment. It does not extend to caring purposes and Personal Leave may be used for these circumstances.

19. Can the non-birth parent access RHL for fertility treatment?

Yes - Reproductive Leave is available for employees to receive fertility treatment regardless of gender. Often both parents are involved in the fertility treatment process. However, if the purpose of a particular appointment does not relate to the employee and attendance is for support and care purposes only, Reproductive Leave is not the appropriate leave type. In these cases the employee attending for care and/or support should consider an alternative leave type for the absence.

20. Can an employee take Reproductive Leave for part of a work day?

Yes - Reproductive Leave is converted to an hourly basis in the HR system. I.e 36.75 per week or 38 hours per week (5 days) depending on the relevant award.

For example, if an employee only requires 3 hours to attend a medical appointment, they can apply for three hours and only three hours will be debited from their balance.

21. How much notice is required to be given to take Reproductive Leave?

Generally all employees are required to give notice as soon as reasonably practicable of their intention to be absent from the workplace.

The notice requirements for Reproductive Leave are the same as personal leave.

Where the absence relates to an appointment, notice can be given to the employer at the time the appointment is made and wherever possible for a workplace absence the employee should give notice within 2 hours of the normal starting time that they will be unable to attend the workplace.



22. When is an employee required to provide evidence for Reproductive Leave?

Generally, an employee may be required to provide evidence for Reproductive Leave that would satisfy a reasonable person of the employee's entitlement to take reproductive leave.

The evidence required may be a medical certificate or where that is not reasonably practicable a statutory declaration.

This is in the same way that evidence may be required for personal leave.

An employee can be requested to provide evidence to satisfy a reasonable person to support an application for reproductive leave of more than 3 consecutive working days.

23. What is the standard of evidence required for Reproductive Leave?

The standard of evidence must be sufficient to satisfy a reasonable person that the employee is seeking to access Reproductive Leave.

The form of evidence may vary depending on the circumstances, for example an appointment booking confirmation email may be sufficient for a circumstance related to an appointment and a letter from a registered health practitioner or statutory declaration may be relevant in other circumstances.

The documentary evidence from a registered health practitioner does not need to state which category the employee is experiencing and may merely refer to the reproductive health condition or issue or reproductive health circumstance or issue.

If an employee wishes to rely on documentary evidence for subsequent absences it must state that the nature of the circumstances is ongoing.

24. Does a reproductive health condition require a formal diagnosis?

No - As it can take some time to obtain a diagnosis for relevant conditions, a formal positive clinical diagnosis is not required to have Reproductive Leave application approved.

25. How does a manager determine that an employee is entitled to Reproductive leave and requires absence from the workplace?

It is not the manager's role to determine if the employee's symptoms related to a reproductive health condition justify an absence from the workplace.



If an employee indicates they require absence from the workplace for a condition or circumstance described in the clause, this is sufficient to access Reproductive Leave. As with personal leave it is not the Manager's role to assess the severity of a condition or circumstance.

26. What questions can a manager ask of an employee about a Reproductive Leave application?

Managers can ask an employee to confirm that the reasons for the leave application is due to a reproductive circumstance as outlined as one of the reasons for Reproductive Leave.

Managers can ask an employee if there are any reasonable adjustments that can be made in the workplace to assist the employee with their reproductive health circumstance.

If an employee applies for three or more consecutive days of Reproductive days a manager is required to seek evidence in the same way as personal leave, that is a medical certificate or where that is not reasonably practicable a statutory declaration.

27. Can an application for Reproductive Leave be denied?

An application for Reproductive Leave can be denied in the following situations:

- The employee indicates the Reproductive leave is for a reason not aligned with a condition or circumstance contained in the Reproductive Leave clause;
- The employee is requested to provide sufficient evidence and does not do so;
- The employee does not have sufficient Reproductive Leave credit.

28. What happens if I have more than one part-time contract of employment in the State Service?

Generally, if an employee has more than one employment contract as a part-time employee up to one FTE they will be entitled to a pro rata Reproductive Leave balance separately for each of these part-time contracts/positions equating up to the 5 working days for 1 FTE.

In the unusual situation that an employee has two or more part-time contracts that total more than one FTE, it is possible that their Reproductive Leave

entitlements will exceed the 1 FTE entitlement of up to 5 working days in a manner that is proportionate to their total contracted hours.

29. How is information in support of Reproductive Leave applications stored and managed?

Information received in connection with a Reproductive Leave application is to be stored as confidential employee information. It should only be disclosed to the extent necessary to facilitate the employees access to Reproductive Leave.

In practice Managers should ensure they are adhering to the relevant obligations of the *Personal Information Protection Act 2004*.