

EMPLOYMENT RELATIONS ACT 2012

Paternity Leave

The new arrangements in the Employment Relations Act introduce paternity leave, a new work entitlement for all eligible working fathers in the Cook Islands.

All working men employed in the Cook Islands will be entitled to no less than 2 working days paid paternity leave and no less than 3 days unpaid paternity leave and guaranteed return to his former position of employment prior to paternity leave.

Paid Paternity Leave

This new work entitlement is an employer funded entitlement granted to a working man who is the father of a new born child.

An eligible worker will be paid at his ordinary rate for all hours that he would have worked on the days he takes paternity leave.

Paid paternity leave must be taken during the six weeks following the birth of the new born child and taken at a time that is mutually convenient for the employer and employee.

Eligibility

To be eligible for the employer funded paternity leave, the employee must:

- be the registered father of a new born child; and
- be employed in the Cook Islands in the private sector at the time of birth; and
- take leave within six weeks from the date of birth of the child.

Foreign Workers

All working men in the Cook Islands will be entitled to paternity leave, this includes foreign workers.

Other facts

- An employer can provide more than 2 days paid paternity leave and more than 3 days unpaid paternity leave to a male

employee who is the father of a new born child;

- At the discretion of an employer paternity leave may be granted to any other person who is not the new born child's father
- A casual worker is not entitled to receive paid paternity as they do not have permanent employment arrangements with an employer.

Current arrangements

The Cook Islands Industrial and Labour Ordinance 1964 (Ordinance) does not provide for paternity leave.

Further information

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