

Changing Parental Leave Orientations in New Zealand

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New Zealand first introduced legislation for parental leave in 1980, with the Maternity Leave and Employment Protection Act. This Act provided up to 26 weeks of employment protection and unpaid leave for women only. Eligibility required 18 months of continuous employment of 15 hours or more per week for the same employer. Subsequently, there were two major developments in the legislation. In 1987 the introduction of the Parental Leave and Employment Protection Act gave men the right to parental leave and reduced eligibility requirements. The second major change was in 2002 with the introduction of paid parental leave in the Parental Leave and Employment Protection (Paid Parental Leave) Act. This paper applies Baird's (2004) typology of maternity leave orientations to analyse the fundamental debates occurring for each of these changes in legislation. An historical approach is used to gain a more comprehensive and holistic understanding of the development of parental leave in New Zealand.

Baird's (2004) typology posits that the debate can be categorised into four orientations. Each represents different stakeholder ideologies towards the Australian debate on paid maternity leave in 2002. This paper illustrates through historical analysis of the social commentary surrounding the aforementioned legislation in New Zealand, that Baird's typology also accurately portrays the changing orientation towards parental leave and employment protection in New Zealand over time.

However, in contrast to Baird's analysis, where she proposes that the orientations describe the viewpoints of different parties within the debate, we have found that one orientation dominates the attitudes behind each major change in legislation. Specifically, this study finds that the Bargaining orientation encompasses the dominant arguments, mechanisms and outcomes of the 1980 legislation; the Business orientation maps well to the 1987 legislation; and the Welfare orientation conveys the development and implementation of the 2002 legislation. The New equity orientation, due to the underlying push for equality which led to the instigation of parental leave in the first instance, is applicable to all of the legislation to some extent.

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