



# **PROFESSIONAL TRIATHLETES ORGANISATION**

## Maternity, Compassionate and Parental Leave Policy

Last Updated: 1 November 2022

- 1) The Professional Triathletes Organisation (the “PTO”) is an entity that represents the interests of men and women professional triathletes who are members of the PTO (a “PTO Professional”).
- 2) The PTO is committed to the principle of gender equality and equal earning opportunities for all PTO Professionals regardless of their gender. It seeks to be a model for how gender equality in sport can be better implemented.
- 3) While the PTO fully recognises the equality of men and women PTO Professionals and seeks to provide and promote equal earning opportunities, it also fully recognises that men and women are different in that women PTO Professionals who desire to have a family may go through pregnancy and childbirth.
- 4) Because of this difference, women PTO Professionals who go through pregnancy and childbirth will have a more disrupted career path than male PTO Professionals and, therefore, will have potentially reduced earning opportunities.
- 5) The loss of potential earnings to a woman PTO Professional may discourage their or delay their decision to embark on pregnancy and childbirth.
- 6) While the PTO recognises that it may be impossible to formulate a plan that addresses this situation to the satisfaction of all, it also believes that the sport of triathlon has been poorly served by failing to recognise this reality and support women professional triathletes.
- 7) The PTO has, therefore, adopted this maternity leave policy to address some of the unique circumstances that women PTO Professionals navigate in balancing the maintenance of a professional athletic career and the reality of pregnancy and childbearing.

## **PTO Maternity Policy**

- 8) Under the PTO's current financial structure, all PTO Professionals receive a year-end bonus based on their rankings in the PTO WORLD RANKINGS at the end of a calendar year (the "Annual Bonus").
- 9) A woman PTO Professional who gives birth shall be entitled to up to 15 months of Maternity Leave (up to nine months of pregnancy and up to six months postpartum).
- 10) A woman PTO Professional shall begin maternity leave on the later of (i) the date they are determined to have become pregnant and (ii) the date of their last race after becoming pregnant (the "Maternity Leave Start Date").
  - a) Athletes are required to inform the PTO Membership Secretary of their Maternity Leave Start Date in writing.
- 11) A woman PTO Professional's Maternity Leave shall end on the earlier of (i) the date of their first race after the birth date and (ii) six months from the birth date (the "Maternity Leave End Date").
- 12) A woman PTO Professional's PTO WORLD RANKING as of the Maternity Leave Start Date (the "Maternity Start Rank") is used to calculate the compensation they shall receive during Maternity Leave (their "Maternity Leave Compensation"), which is equal to  $1/12$  of their Annual Bonus based on their Maternity Start Rank (the "Monthly Amount") times the number of months (including any portion thereof) they take Maternity Leave.
  - a) The Maternity Start Rank is used solely to calculate the Maternity Leave Compensation. The PTO WORLD RANKING of a woman PTO Professional on Maternity Leave remains subject to change in line with the rules of the PTO WORLD RANKING SYSTEM.
- 13) In addition to their Maternity Leave Compensation, a PTO Professional on Maternity Leave shall be entitled to the percentage of the Annual Bonus already deemed earned in the calendar year they fall pregnant based on their Maternity Leave Start Date (the "Already Earned Bonus").

14) Maternity Leave Compensation shall be paid in monthly instalments from the Maternity Leave Start Date until the Maternity Leave End Date. The Already Earned Bonus shall be paid to athletes as soon as is practicable following the Maternity Leave Start Date.

15) During Maternity Leave a woman PTO Professional shall continue to promote and support the PTO and PTO Events as provided in the PTO Membership Agreement.

*See Appendix A for a full example of the PTO Maternity Policy in practice.*

### **PTO Compassionate Leave Policy**

16) A woman PTO Professional who suffers a miscarriage after 14 weeks of pregnancy, as confirmed by their physician, shall be entitled to Compassionate Leave of up to six months from their miscarriage date.

17) A woman PTO Professional's Compassionate Leave shall end on the earlier of (i) the date of their first race after a miscarriage and (ii) six months after a miscarriage (the "Compassionate Leave End Date").

18) During their Compassionate Leave a woman PTO Professional shall receive compensation ("Compassionate Leave Compensation") equal to the Monthly Amount times the number of months (including any portion thereof) from the Maternity Leave Start Date until the Compassionate Leave End Date plus their Already Earned Bonus.

19) Compassionate Leave Compensation shall be paid in monthly instalments from the Maternity Leave Start Date until the Compassionate Leave End Date.

20) The PTO WORLD RANKING of a woman PTO Professional on Compassionate Leave (or a combination of Maternity Leave and Compassionate Leave) remains subject to change in line with the rules of the PTO WORLD RANKING SYSTEM.

21) During Maternity Leave and Compassionate Leave a woman PTO Professional shall continue to promote and support the PTO and PTO Events as provided in the PTO Membership Agreement.

## **PTO Parental Leave Policy**

22) The rules of Parental Leave are governed by those of the Maternity Leave Policy with the following amendments:

- a) If a PTO Professional becomes a parent to a child under the age of 12 months and is the primary carer of the child, they shall be entitled to Parental Leave of up to four months from the date they became a parent (the “Parent Date”).
- b) If a PTO Professional becomes a parent to a child under the age of 12 months and is not the primary carer of the child, they shall be entitled to Parental Leave of one month from the date they became a parent (the “Parent Date”).

23) A PTO Professional’s Parental Leave shall end on the earlier of (i) the date of their first race after the Parent Date and (ii) four months after the Parent Date (the “Parent Leave End Date”).

24) If a PTO Professional elects to take Parental Leave, their PTO WORLD RANKING remains subject to change in line with the rules of the PTO WORLD RANKING SYSTEM.

## **APPENDIX**

- a) Example of PTO Maternity Policy in practice:

The PTO World #3 athlete becomes pregnant on May 1 but continues to race for another four months until September 1, when they alert the PTO Membership Secretary in writing of their intention to begin Maternity Leave.

Hypothetically, by this time the athlete’s PTO World Ranking has fallen to PTO World #5 due to other athletes overtaking them. PTO World #5, therefore, becomes their Maternity Start Rank.

Under the PTO’s Annual Bonus Plan, the woman PTO Professional ranked PTO World #5 would be entitled to a \$60,000 bonus payment at the end of a year. The amount received each month during maternity leave would therefore be \$5,000 (\$60,000 divided by 12 months).

The athlete's Already Earned Bonus would stand at \$40,000 (\$5,000 times the eight months in the year which have already passed). The Already Earned Bonus is paid as soon as is practicable following the Maternity Leave Start Date.

The athlete gives birth on February 1 having received five months' worth of maternity pay from September 1 (totalling \$25,000) plus their Already Earned Bonus (totalling \$40,000).

The athlete returns to racing four months later on June 1 (having received another \$5,000 per month, totalling \$20,000). This ends their maternity leave, the athlete having received Maternity Leave Compensation of \$45,000 for nine out of the possible 15 months of Maternity Leave (plus the \$40,000 Already Earned Bonus).

Prior to their return to racing, the athlete's PTO World Ranking has fallen to PTO #43 as one race from the previous May has 'aged-out' under the PTO World Ranking System's rolling 52-week period. This change in the athlete's ranking position is also mirrored in regard to automatic Collins Cup team selection.

At their first race following Maternity Leave, the athlete scores highly, which boosts their ranking up to PTO World #10, which would then entitle them to \$30,000 from the PTO Annual Bonus should they remain in the same position by December 31.