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## LEAVE POLICY

### Purpose

offers a range of employee leave in recognition that the well-being and professional development of our employees impacts favourably on business performance. The purpose of this policy is to outline the types of leave available to employees as part of their employment conditions.

Annual Leave	Compassionate Leave
Shut down	Time off in lieu policy (TOIL)
Personal Leave	Leave without Pay
Long Service Leave	Military Leave
Parental Leave	Community Services Leave
Study Leave	Family & Domestic Violence Leave

### Scope

When it comes to leave entitlements complies with Fair Work Australia as specified in the National Employment Standards (NES). This policy covers all Australian based staff employed by . Full-time, part-time and fixed term employees are eligible for all leave types under this policy, casual employees will only be eligible for long service leave and unpaid parental leave. These conditions will apply unless otherwise stated on your employment agreement.

If you are in a contracted position of limited duration not all leave entitlements may be applicable, or they may differ in some way. Please refer to your individual employment contract, and seek further clarification from your immediate Manager.

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## **POLICY**

### **Annual Leave**

For full-time positions annual leave accrues at 20 days for every 12 months of service. This is pro-rated for part time positions. Employees are encouraged to take their 20 days accrued leave each year with no more than 6 weeks annual leave to be accrued. Applications for leave must be printed and signed off/approved by your Manager.

All leave applications require:

- As much notice is required as reasonably practicable, particularly for extended periods of leave, preferably no less than four (4) weeks notice
- Short leave periods may require a minimum of 2 weeks notice

Note: To avoid disappointment please ensure leave is approved before making a formal booking/travel plans.

### **Shut Down**

Over the Christmas / New Year period the office may close for a period of two (2) weeks. You may be required to take the days that are not public holidays as annual leave.

### **Public Holidays**

Your entitlement to public holidays is in accordance with the NES, unless stated in your individual contract of employment.

### **Personal Leave**

Personal leave is in accordance with the NES which currently accrues at 10 days for every 12 months of service. This is pro-rated for part time positions, unless stated otherwise in your contract. Any unused balance of personal leave will accumulate each year. Employees may take personal leave as either *a. sick leave* or *b. carer's leave*.

#### **a. Sick Leave**

Sick Leave may only be taken due to personal injury or illness.

#### **b. Carer's Leave**

Carer's leave is available so an employee may provide care or support for a member of their immediate family or household who is ill or injured, or for an unexpected emergency. An immediate family member is considered to be a grandparent, parent, partner, sibling, child or grandchild and an immediate member of the household is someone who is living with the employee.

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An employee is entitled to take up to 10 days of **Personal Leave** as Carer's Leave per year. A further two days *unpaid* carer's leave per occasion is available for employees if they have no paid carer's leave available (either because they have not accrued enough or have already used their 10 days for the year). Casual employees are also entitled to two unpaid carer's leave per occasion.

## Notice & Evidence

### Notice

Employees are required to let their employer know as soon as possible if they cannot work and are taking sick or carer's leave, generally no later than 1 hour before your usual start time. Employees also need to let their employer know how much time they're taking off, or how much time they expect to take off if possible. Notification must be made to your Manager over the phone in the first instance or another Manager if the former one is unavailable.

### Application for paid personal leave

On return to work, as soon as practical you need to complete a leave application and undertake the necessary approvals.

### Evidence

An employer can ask an employee to give them proof to verify the reason for taking personal or carer's leave. An employee isn't entitled to the leave if:

- the employer asks them for evidence, and
- the employee doesn't provide evidence that would 'satisfy a reasonable person'.

A medical certificate or statutory declaration is generally considered an acceptable form of evidence.

Management *may* specifically ask that evidence be provided following 2 or more days of absence as well as absences that occur prior or following a weekend or given day off i.e. public holiday, annual leave day. They may also request one any time at their discretion.

NOTE: If an employee does not provide their employer with notice, does not apply or provide evidence as required, they may not be entitled to take leave and therefore may forfeit payment.

## Long Service Leave

Employees will be entitled to Long Service Leave as per the legislation for the state in which they are based.

## Parental Leave

Refer to the Parental Leave Policy [POL04a](#).

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## **Compassionate Leave**

Paid compassionate leave of two days per incident is available in the event of a serious illness or death of a near relative. This covers a partner (including de facto), parent, sibling, child or parent-in-law, or someone to whom you are the primary care giver. Individual circumstances may be taken into consideration at the discretion of your Manager, for situations that fall outside the above provisions.

An employee may be required to provide evidence of the situation.

Casual employees are entitled to two days unpaid compassionate leave for each occasion.

## **Time off in lieu**

generally does not make use of TOIL, however may grant time in lieu to an employee in exceptional circumstances. Time worked towards time in lieu must be approved in advance. Time in lieu will be added to the employee's annual leave. will record time-in-lieu credits and debits. Generally, employees should take time in lieu within 3 months of accrual. A manager must approve time-off-in-lieu leave. An employee should not accrue more than 40 hours of time in lieu.

## **Leave without pay**

Management has the discretion to approve leave without pay that an employee is not otherwise entitled to.

## **Military Leave**

is committed to supporting employees that are members of the Australian Defence Force. Members of the Reserves will be entitled to 2 weeks of Military Leave. The employee will be paid by for this 2 week period.

The employee will need to bring in a copy of the notice requiring their attendance as soon as possible prior to the leave. Applications should be made to your Manager giving enough notice to ensure the impact on work commitments is minimised.

## **Community Service Leave**

This provides employees with a right to be absent from work to engage in prescribed community service activities, such as emergency service duties and jury service.

Employees, including casual employees, are entitled to be absent from work for the purpose of performing certain activities such as:

- Voluntary emergency management activity, such as State Emergency Service (SES), Country Fire Authority (CFA) or the RSPCA (in respect of animal rescue).
- Jury service (including attendance for jury selection) that is required by or under a law of the commonwealth, a state or a Territory.

There is no set limit on the amount of community service leave an employee is entitled to.

An employee who wants an absence from employment must provide employer with:

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- Notice of absence as soon practicable.
  - The period or expected period of absence.
  - An employer may require an employee, who has given notice of taking community service leave, to provide evidence that would satisfy a reasonable person that the employee is entitled to the leave.

Community service leave under the NES is unpaid, except in relation to jury service where an employee (other than a casual) is entitled to 'make-up pay' for the first 10 days that the employee is absent for a period of jury service pay the employee receives (excluding any expense-related allowances) and the employee's base rate of pay for the ordinary hours they would have worked.

### **Domestic violence leave entitlements**

From 1 August 2018, modern awards will be varied to give employees access to **5 days of unpaid** family and domestic violence leave each year, it is not accrued and therefore available 'in full' at the start of each 12 months of employment.

The leave can be taken by employees to deal with the impact of family and domestic violence and is accessible where an employee:

- a) is experiencing family and domestic violence; and
- b) needs to do something to deal with the impact of the family and domestic violence; and
- c) it is impractical for the employee to do that thing outside their ordinary hours of work.

This includes (but isn't limited to) taking time to:

- make arrangements for their safety, or the safety of a family member
- attend court hearings
- access police services.

This could include, by way of example, making arrangements for their safety or the safety of a family member (including relocation), attending urgent court hearings, or accessing police services.

This **entitlement** applies to all employees (including casuals) who are covered by an industry or occupation based award.

Be assured information collected in relation to the taking of leave remains confidential, and will be dealt with appropriately and sensitively.

You can find more information about domestic and family violence leave and who it applies to at [fairwork.gov.au](http://fairwork.gov.au)

Confidential information, counselling and support for people impacted by domestic and family violence is available at [www.1800respect.org.au](http://www.1800respect.org.au)

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**DOCUMENTATION**

Leave Form	<a href="#">FOR03</a>
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