

## ***Employee Leave Policy***

### **1. Purpose**

Aberfoyle Community Centre Inc. provides a variety of leave, to meet both legislative and Enterprise Agreement requirements, and also provide flexibility to meet the needs of the employee.

### **2. Background information**

Leave may be granted with or without pay in accordance with the range of Legislation and Awards that apply to our employees.

All leave – other than where specified in legislation - is granted contingent upon operational requirements and satisfactory work performance of the applicant.

All leave, except sick leave (and other forms of unexpected leave which is deducted from an employee's sick leave entitlements), shall be approved in advance by the employee's immediate supervisor and in some instances the Chairperson of the Board of Management.

Entitlement and payment for Annual Leave loading is managed in accordance with the Social Community Home Care and Disability Services Award (SCHCDS). Loading is not payable at any other time outside the provisions of the Award.

Responsibility for the review and implementation of this procedure falls within the Human Resources Sub Committee.

### **3. Operating procedure**

#### **Application for leave**

Application for all leave outlined within this procedure is to be made on the Leave Application Form. Leave approval is by the immediate supervisor unless otherwise indicated in the tables below. The supervisor shall forward the leave form to the Finance Officer. The Finance Officer requires applications for leave, other than for sick or emergency/personal leave, at least 5 working days prior to leave being taken, to ensure the leave is reflected in the employee's pay and any advance pay can be arranged, if required.

#### **Management of leave**

To reduce the amount of the following leave categories, intervention by the Chairperson of the HR Subcommittee should occur:

- Annual Leave has accrued 304 hours or more
- Long Service Leave has accrued 600 hours or more
- TOIL has accrued 13 hours or more

Intervention in the management of employee leave should be enacted before the anniversary date of the next entitlement. Discussion should also occur when an employee's sick leave is reduced to 15.2 hour or less.

#### **Leave with pay**

Below are details of the types of leave with pay that employees can access. Application for this leave is made via the *Leave Application Form*.

Leave type	Features/conditions
<b>Annual</b>	<p>Granted, taken and accrued in accordance with the National Employment Standards. (4 weeks per annum pro rata)</p> <p>Approved by the employee's supervisor.</p> <p>Payment of annual leave in advance is available when an employee is not at work on the payday for which the employee is being paid in advance for.</p> <p>Annual leave cannot be used as part of a resignation process as it has implications with the final payment to the employee. This does not apply for staff who resign whilst on annual leave.</p>
<b>Personal/Sick/Carers</b> ( <i>Excluding arrangements under Workers Compensation</i> )	<p>Granted, taken and accrued in accordance with National Employment Standards. (10 days per annum pro rata)</p> <p>Approved by the employee's Supervisor. Employees shall notify the employer as soon as reasonably practicable of their absence from work on sick leave, preferably prior to the commencement of the day.</p> <p>In the absence of sufficient sick leave entitlements, annual leave can be taken. Long service leave (taken in a period no less than 2 weeks) can be accessed after all other entitlements have been exhausted.</p> <p>Satisfactory medical evidence (a medical certificate) will be provided from a registered health practitioner in the following instances:</p> <ul style="list-style-type: none"> <li>• Three or more consecutive days are taken together;</li> <li>• An excess of 5 single days per service year being taken without a certificate; or</li> <li>• When requested to do so by their Supervisor</li> </ul> <p>For the purposes of this procedure registered health practitioners are defined as:</p> <ul style="list-style-type: none"> <li>• Doctor</li> <li>• Dentist</li> <li>• Physiotherapist</li> <li>• Chiropractor</li> <li>• Clinical psychologist</li> </ul> <p>An employee shall make every endeavour to provide a medical certificate. A statutory declaration may be provided in lieu of a medical certificate. Statutory Declarations may only be provided for a period of 1 day and only 2 Statutory Declarations may be provided in lieu of a medical certificate per calendar year.</p> <p>When you make a statutory declaration, you are</p>

Leave type	Features/conditions
	<p>declaring that the statements in it are true. If you intentionally make a false statement in a statutory declaration, you could be charged with an offence and, if convicted, you could be fined or jailed, or both.</p> <p>If the employee's Supervisor has spoken to the employee and is satisfied that the absence was warranted, he/she can approve up to 2 days leave without a certificate or statutory declaration.</p> <p>Employees are not to return to work if they have a medical certificate that details they are still unfit for work for the current date. Supervisors must send the employee home in such circumstances and not allow them to commence work. If the employee feels they are ready and fit to return even though they are still covered by a medical certificate that states otherwise and they still want to work they must obtain from their medical practitioner a medical certificate detailing they are fit to return to work before they can be allowed to return to work.</p>
<b>Long service leave</b>	<p>Granted, taken and accrued in accordance with Long Service Leave Act and relevant Agreement as applicable. Taken in periods of not less than 1 (one) week for employees.</p> <p>Approved by the employee's Supervisor.</p> <p>Long Service Leave cannot be used as part of a resignation process as it has implications with the final payment to the employee unless the employee is 60+ years of age. This does not apply for staff who resign whilst on long service leave.</p> <p>If an employee becomes ill during a period of long service leave the leave cannot be converted to sick leave even if a medical certificate is provided.</p>
<p><b>Parental leave (Maternity/adoption/ foster)</b> (leave is available to only one (1) parent at a time for a combined total of 52 weeks)</p>	<p>Paid and Unpaid Maternity/Adoption Leave is granted to all employees in accordance with the terms and conditions outlined in the National Employment Standards.</p> <p>Approved by the employee's Supervisor.</p>
<p><b>Parental leave (Partner's leave)</b></p>	<p>Paid and Unpaid Partner's Leave is granted to all employees in accordance with the National Employment Standards.</p> <p>Approved by the employee's Supervisor</p>
<p><b>Compassionate (Bereavement) leave</b></p>	<p><b><i>An employee (other than a casual employee), on the death or in the event of a life threatening injury or illness of a:</i></b></p> <ul style="list-style-type: none"> <li>partner</li> <li>parent</li> <li>parent-in-law</li> <li>sister or brother</li> <li>sister or brother in law</li> <li>child or step-child</li> <li>step-parent</li> </ul>

Leave type	Features/conditions
	<p>grandparent grandchild</p> <p>Is entitled, on reasonable notice, to paid leave of two (2) days duration per occasion. This leave is without deduction of pay for a period not exceeding the number of hours worked by the employee in two (2) ordinary days work. The employee if requested must furnish proof of death or life-threatening illness or injury. Where additional compassionate leave is required, employees can utilise their sick leave entitlement to supplement their Compassionate Leave taken for a family death up until the day of the funeral of the deceased person. Up to five (5) days leave per occasion will be allowed under this clause. Approved by the employee's Supervisor.</p> <p><b>Note:</b> If further time were required in the event of a death, the employee would be able to access their sick leave upon the production of a certificate from their medical practitioner in the normal manner.</p>
<b>Special leave:</b>	
<b>Jury and community service</b>	<p>Refer to the National Employment Standard guide <a href="http://www.fairwork.gov.au/About-us/Policies-and-guides/Fact-sheets/Minimum-workplace-entitlements/community-service-leave">http://www.fairwork.gov.au/About-us/Policies-and-guides/Fact-sheets/Minimum-workplace-entitlements/community-service-leave</a></p>

## 4. References

Social Community and Home Care and Disability Services Award  
National Employment Standards  
Fair Work Act  
Long Service Leave Act

## 5. Attachments

- Leave Application Form
- Staff Appraisal Process
- Action Plan

## 6. Approvals

