

<b>Policy Name</b>	<b>Leave Management</b>
<b>Policy Number</b>	<b>10</b>
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## Purpose

This policy has been produced to guide Southern Tablelands Board, staff and volunteers. The purpose of this policy is to protect the integrity of the Southern Tablelands Arts Inc. decision making process and business judgements to enable our constituencies to have confidence in our integrity and to protect the reputations of Board, staff and volunteers.

## Policy

This policy establishes a principles based approach to effectively manage leave entitlements in a flexible manner, taking into account current employment and workplace legislation, operational requirements and best practice.

Effective leave management is critical to being able to maintain adequate service levels, reduce leave liabilities and ensure the health and wellbeing of employees.

## Policy Objectives

The objectives of this policy are to ensure:

- All employees are aware of leave entitlements, discretionary leave provisions and responsibilities;
- Opportunities are provided for employees to work in a safe and healthy family friendly environment and balance their work and life commitments;
- The operational requirements of Southern Tablelands Arts are taken into account through appropriate work planning.

### 1. Leave Management Responsibilities

Employees will:

- Verify leave entitlements exist prior to submitting leave applications;
- Apply for all leave in advance (where practical) through their Manager<sup>1</sup> and allow for reasonable time for approval;
- Promptly submit leave applications following unplanned absences;
- Assist with the preparation of any hand over or reallocation of tasks for extended absences;
- Ensure leave balances are not excessive and assist with the development of leave management plans to reduce excessive leave balances if required.

<sup>1</sup> The Manager for staff is the Executive Director. The Manager for the Executive Director is the President.



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Management will:

- Monitor and manage leave entitlements including leave liability and unexplained or unauthorised absences from the workplace;
- Authorise applications for leave requests;
- Ensure operational needs are met in the planning and authorisation of employees leave;
- Develop leave management plans for employees who have excessive leave balances.

## **2. Leave Provisions**

Staff are provided with a variety of leave arrangements that enable them to balance work with rest and recreation, family responsibilities and other specific purposes including:

- Annual Leave; Time Off in Lieu; Personal/Careers Leave; Compassionate Leave; Maternity/Parental Leave; Long Service Leave; Other Leave.

## **3. Annual Leave**

Employees are entitled to 4 weeks annual leave (pro rata) per year and can accrue up to a maximum of 6 weeks annual leave at any one time. Annual leave falls due on the annual anniversary of the date on which employment originally commenced. Pro rata rates apply to all part time employees.

The office closes between the Christmas and New Year holidays. Other than public holidays and one day that is designated additional days holiday as per 12 (ii) of the Clerks (State Award), all other days in this period are taken as Annual Leave.

Leave is generally not approved until the completion of three months service with Southern Tablelands Arts. Leave will not be approved in advance of your entitlement unless there are extenuating circumstances. Decision regarding the validity of extenuating circumstances and approval of such leave is at the discretion of the employee's manager.

## **4. Personal/Carers Leave**

Personal / Carers leave forms part of the National Employment Standards (NES). The term "personal/carers" leave effectively covers both sick leave and carers leave. The minimum entitlement to paid personal/carers leave for an employee (other than a casual employee) is 10 days per year.

An employee's entitlement to paid personal/carers leave accrues progressively during a year of service according to the number of hours worked and can accumulate from year to year.

Personal/carers leave continues to accrue when an employee takes a period of paid personal/carers leave or paid annual leave. Unless it is provided for in an award or agreement, personal leave will not accrue on any form of unpaid leave.

Employees are required to phone work and speak to the Executive Director by 9:00 am or as soon as practicable to notify of any absence and the estimated duration of the absence. The Executive Director must contact the President by 9:00 am or as soon as practicable to notify of any absence and the estimated duration of the absence. Employees will not be entitled to payment where such notification is not given.

An employee may take paid personal/carers leave:

[www.southerntablelandsarts.com.au](http://www.southerntablelandsarts.com.au)

- If they are unfit for work because of their own personal illness or injury or;
- To provide care or support to a member of their immediate family or household, because of a personal illness, injury or unexpected emergency affecting the member.

Personal/Carers Leave of two days or more, may require evidence in accordance with Section 107 of the Fair Work Act 2009.

Casual employees are also entitled to 2 days unpaid carers leave per year.

## **5. Compassionate Leave**

An employee (including a casual employee) is entitled to two days of compassionate leave to spend time with a member of their immediate family or household who has sustained a life-threatening illness or injury.

Compassionate leave may also be taken after the death of a member of the employee's immediate family or household. An employee may take compassionate leave for each occasion as:

- A single continuous two day period;
- Two separate periods of one day each or;
- Any separate periods to which the employee and his or her Manager agrees.

## **6. Time Off in Lieu (TOIL)**

Participation in the TOIL program is a privilege not a right and is based on an element of trust. Any employee who is found to have abused the TOIL scheme may be subject to disciplinary action and/or not be eligible to participate in the program.

TOIL arrangements are to be managed based on agreement between the employee and the Manager. Individual arrangements will be agreed based on accommodating employee needs within operational requirements as follows:

- work plans and service delivery;
- accessibility to employees by the Employer and clients;
- visibility to clients;
- team and supervisor interactions;
- project and regular (flow) work patterns and "busy" and "slow" periods;
- Fairness and equity;
- TOIL will accrue on a normal time basis (ie one hour overtime will equal one hour TOIL accrued);
- TOIL will only start to accrue outside of normal work hours (8:30am-5:30pm Monday- Friday);
- TOIL accrual will generally only be available for chargeable work;
- TOIL will only accrue on a 1 hour block basis (ie after working a minimum 1 hour);
- TOIL can be taken as either full or half days with the minimum being 1 hour;
- Accrued hours will need to be cleared by 31 December each year.
- TOIL balances are eligible to be paid out on termination, however should be reduced to zero prior to ceasing employment.

## **7. Maternity/Parental Leave**

Employees can get parental leave when a child is born or adopted. Parental leave entitlements include:

- maternity leave
- paternity and partner leave
- adoption leave
- special maternity leave
- a safe job and no safe job leave
- a right to return to old job.

Parental leave is leave that can be taken when:

- an employee gives birth
- an employee's spouse or de facto partner gives birth
- an employee adopts a child under 16 years of age.

Employees are entitled to 12 months of unpaid parental leave. They can also request an additional 12 months of leave.

### **7.1 Pre-adoption leave**

Employees who are taking parental leave to care for an adopted child are also entitled to 2 days unpaid pre-adoption leave to attend relevant interviews or examinations. This leave can't be used if an employer tells an employee to take another type of leave (eg. paid annual leave).

Employees are able to take parental leave if they:

- have worked for their employer for at least 12 months:
- before the date or expected date of birth if the employee is pregnant
- before the date of the adoption, or
- when the leave starts (if the leave is taken after another person cares for the child or takes parental leave)
- have or will have responsibility for the care of a child.

### **7.2 Casual employees**

For casual employees to be eligible for unpaid parental leave they need to have:

been working for their employer on a regular and systematic basis for at least 12 months  
a reasonable expectation of continuing work with the employer on a regular and systematic basis, had it not been for the birth or adoption of a child.

### **7.3 Having another child**

Employees who have taken parental leave don't have to work for another 12 months before they can take another period of parental leave with that same employer.

Twelve months unpaid maternity leave is available to all female employees. Employees are required to give at least 4 weeks' notice of the commencement date of maternity leave, and at least 4 weeks' notice of their intention to return to work.

Sick Leave accrued at the commencement of Maternity Leave will be frozen at the accrued level, until the team member returns to work.

## 8. Long Service Leave

The Long Service Leave Act provides that full time, part time and casual workers in New South Wales are entitled to be paid long service leave after working for an unbroken period of 10 years with an employer.

Leave entitlements accrue pro rata on a daily basis for the first 15 years. After 15 years of service, only full years of service are taken into account for accrual purposes. An employee is entitled to be paid their pro-rata long service leave, if they resign after ten or more years of service.

An employee who has been employed for 5 years is only entitled to a Long Service pro rata payment, if they resign as a result of illness, incapacity, domestic necessity, is dismissed for any reason except serious and willful misconduct or dies.

## 9. Designated Busy Periods

Office work patterns require that at certain times of the year all employee resources are required to meet business demands. These periods are referred to as 'Busy' periods. Time off in Lieu (TOIL) will generally not be approved during designated 'busy' periods. However, should a request be made, approval is required from the Manager. Designated 'busy' periods vary from year to year and can relate to participation in extensive program delivery, triennial funding processes, forward planning and annual acquittal processes, CASP grant.

## 10. Other Leave

Other miscellaneous leave will be managed on a case by case basis in accordance with relevant legislation. Other types of leave include but is not limited to:

- Leave Without Pay; Religious or Cultural Purposes (eg. NAIDOC Day); Emergency Services; Jury Duty.

## 11. Application and Approval Process

With the exception of TOIL, all leave requests are to be made on the Leave Application Form in XERO and authorised by the Manager. All TOIL hours accrued and taken are to be recorded by the employee and approved by the Manager. All TOIL leave requests must be submitted on a TOIL form for approval by the Manager prior to the leave being taken.

## 12. Exceptional Circumstances

Where there are exceptional circumstances other than those already documented, the Executive Director may approve variations to this policy.

### Related Documents

[Financial Management Policy](#)  
[Leave Application Form](#)