

# Leave - Guidelines

## 1. Purpose

1.1 These guidelines provide staff with further information about:

- the types of leave that are available
- staff entitlements to those leave types
- the management and use of the various types of leave; and
- for supervisors, what needs to be considered prior to approving leave.

## 2. Scope and application

2.1 These guidelines apply to eligible staff.

2.2 These guidelines relate to the following leave types:

- Recreation Leave
- Sick Leave
- Carer's Leave
- Bereavement/Compassionate Leave
- Leave Without Pay
- Long Service Leave
- Special Leave
- Family and Domestic Violence
- Defence Force Training
- Jury Service
- National Sporting Events Leave
- Natural Disaster Leave
- State Emergency Call Out Leave
- Trade Union Leave
- Public Holidays
- University Holiday - Christmas/New Year Close Down

2.3 Parental leave is addressed in the Parental Leave - Operational Policy.

2.4 The guideline is based on full time staff working 36.25 hours per week. Fractional staff leave entitlements are calculated on a proportionate basis.

2.5 Casual staff are entitled to paid long service leave and family and domestic violence leave and unpaid leave for carer's, bereavement/compassionate, jury service, and state emergency call out purposes, in accordance with the National Employment Standards.

2.6 Leave may be taken for periods of 15 minutes or greater, except in the case of long service leave, which is normally taken in blocks of no less than 4 weeks.

## 3. Definitions

Please refer to the University's Glossary of Terms for policies and procedures.

## 4. Leave types

### 4.1 Recreation Leave

Full-time and fractional staff are entitled to recreation leave on full pay. All staff, excluding casual staff and senior staff, are entitled to an additional 17.5% loading. Full-time staff will receive recreation leave at the rate of 20 working days and fractional staff on a proportionate basis for each completed year of service from the date of appointment.

A staff member will apply for leave indicating when they wish the leave to commence, providing reasonable notice, not normally less than four weeks. Leave will be allowed or deferred at the discretion of the supervisor. Taking of recreation leave will be such that the operational requirements of the organisation are met.

APPROVAL AUTHORITY

Vice-Chancellor and President

RESPONSIBLE EXECUTIVE MEMBER

Vice-Chancellor and President

DESIGNATED OFFICER

Director, People and Culture

LAST AMENDED

4 May 2023

REVIEW DATE

4 August 2027

STATUS

Active

Supervisors are to ensure that staff have adequate opportunity to take recreation leave as a continuous period and staff are to inform the supervisor of their intention to take leave. Where a public holiday occurs during the period of recreation leave, no deduction for this day will be made from the recreation leave credits of the staff member.

In circumstances where recreation leave has been approved, approval may only be revoked by mutual agreement.

Where a staff member's leave entitlement equals or exceeds six working weeks, the staff member's supervisor can direct the staff member to take at least two working weeks of the leave entitlement within a three-month period from the date of direction. The supervisor must provide two months' notice of this direction.

A staff member who has accumulated an equivalent of six weeks recreation leave may request to have a proportion of their recreation leave paid out. Where a staff member requests a pay out of recreation leave, a recreation leave entitlement equivalent to four weeks leave must be retained, and the staff member must demonstrate they have taken a period of recreation leave equivalent to the amount to be paid out in the preceding 12-month period. The maximum amount of recreation leave to be paid out in any calendar year will be two weeks.

The 17.5% loading component will be payable on the pay period immediately prior to Christmas. The leave loading is calculated on the ordinary salary/wage rate of payment (excluding weekends, public holidays, overtime and penalty rates). Staff will be paid recreation leave as part of their normal pay or they may request payment in advance (4 weeks notice is required). On termination of employment, the staff member will be paid pro-rata all accrued recreation leave credits not taken and receive the pro-rata 17.5% loading component.

Staff engaged on fixed term contracts are required to take recreation leave entitlements at a mutually convenient time during the contract term and all recreation leave entitlements should be expended within the term of the contract.

#### 4.1.1 Purchased Leave

Staff can request to reduce their annual salary in exchange for proportionally additional recreation leave over a period of 12 months. The request can be for up to four weeks per year and must meet the genuine needs of the University and the staff member.

#### 4.2 Sick Leave

Full-time and fractional staff are entitled to sick leave on full pay. Full time staff will receive up to ten working days per year and fractional staff on a proportionate basis. Sick leave is available twelve months in advance during the first year of service, and then accrues on a proportionate, cumulative basis.

A staff member absent from work through illness must advise their supervisor as soon as practicable on the first day of absence. Applications for sick leave of four or more days must be supported by a certificate from a medical practitioner stating the nature of the illness and the period or approximate period for which sick leave is required.

When a staff member is ill for three consecutive days whilst on recreation or long service leave, supported by a certificate from a medical practitioner, no deduction of recreational or long service leave credits will be made for the period of illness. Medical certificates must be submitted within one week of returning from recreation or long service leave. No re-credit will be granted to a staff member on recreation or long service leave immediately prior to retirement, resignation or termination of employment.

A supervisor can request a staff member with a proven regular pattern of sick leave to provide a medical certificate for any sick leave taken in the six months following the supervisor's request.

Staff who have used their full entitlement of sick leave, may be granted sick leave without pay, when supported by satisfactory medical certification and subject to the approval of the supervisor. In addition, staff may elect to use any recreation or long service leave entitlement. A continuous period of sick leave without pay exceeding ten working days is not recognised as service for the purpose of calculating leave entitlements including long service, recreation and sick leave. Superannuation payments are not made for periods of sick leave without pay. For sick leave without pay in excess of four weeks, the staff member's increment date is changed by the total period of leave.

Public holidays which fall in the period of sick leave without pay form part of the leave and are unpaid.

Where a supervisor has concerns about a staff member's ability to perform their normal duties on their return from a period of sick leave, they can request that the staff member provide a medical clearance certifying that the staff member is fit to resume normal duties.

#### 4.3 Carer's Leave

Carer's leave is available for a staff member's absence to provide care and support for a member of their immediate family or household under their care when they are ill.

Immediate family includes:

(a) a spouse (including a former spouse, a de facto spouse and a former de facto spouse of the opposite or same sex);

- (b) a child (including an adopted child, a step-child, ex-nuptial child or foster child), or grandchild;
- (c) a parent, grandparent, or sibling of the staff member or the staff member's spouse (including step and adoptive relations); and
- (d) a person approved by the Director, People and Culture or authorising officer.

Full-time and fractional staff will be entitled to paid carer's leave with full-time staff receiving carer's leave at the rate of five days per year and fractional staff on a proportionate basis. Casual staff will be entitled to two days unpaid carer's leave per occasion. Carer's leave is non-cumulative.

Applications for carer's leave of four or more days must be supported by a medical certificate from a medical practitioner or a statutory declaration stating the illness of the person concerned. In addition, a staff member may be entitled to use any sick leave entitlements for the period of absence if carer's leave entitlements have been previously exhausted. A staff member may elect, with the approval, to take leave without pay, recreation leave, long service leave, or hours accumulated under the flexible work arrangement for the purposes of providing care to a member of their immediate family or household who is ill.

#### 4.4 Bereavement/Compassionate Leave

Full-time and fractional staff may be granted up to two days paid bereavement/compassionate leave on full pay and casual staff up to two days unpaid, per occasion, when a member of their immediate family or a member of their household:

- (a) contracts or develops a personal illness that poses a serious threat to their life; or
- (b) sustains a personal injury that poses a threat to their life; or
- (c) dies.

For a death outside Australia, staff are entitled to an additional two days paid bereavement leave for travel purposes. A staff member can be required to show supporting evidence.

#### 4.5 Public Holidays

Staff are entitled to the following public holidays, without loss of pay:

- (a) New Year's Day, Good Friday, Easter Saturday, Easter Monday, Christmas Day and Boxing Day; and
- (b) the following days as prescribed in the relevant states, territories and localities: Australia Day, Anzac Day, King's Birthday and Labour Day; and
- (c) any additional day as observed in the State of Queensland.

Substitute days:

- (a) when Christmas Day or Boxing Day is a Saturday or a Sunday, a holiday in lieu will be observed on 27 December and/or 28 December respectively; or
- (b) when New Year's Day or Australia Day is a Saturday or Sunday, a holiday in lieu will be observed on the next Monday.

Where in Queensland, public holidays are declared or prescribed on days other than those set out above, those days will constitute additional holidays.

#### 4.6 University Holiday - Christmas/New Year closedown

Any day between Christmas Day and the next New Year's Day, which is not a public holiday, will be treated as a day off without loss of pay or recreation leave credits.

Staff required to work on the University Holiday at the request of the Cost Centre Manager, may be granted a day in lieu.

#### 4.7 Leave Without Pay

Leave without pay may be granted at the discretion of a Supervisor for up to 9 days and the Cost Centre Manager for greater than 10 days and normally only after all recreation leave credits have been exhausted. If a continuous period of leave exceeds ten working days, the period of leave is not recognised as service for the purpose of calculating leave entitlements including long service, recreation and sick leave. Superannuation payments are not made for periods of leave without pay. For leave in excess of four weeks, the staff member's increment date is changed by the total period of leave.

Leave without pay commences on the first working day of the leave (excluding public holidays) and ceases on the day prior to resumption of duty. Public holidays which fall in the period of leave without pay form part of the leave and are unpaid. Leave may not be granted in broken periods separated by public holidays or by periods of long service or recreation leave.

#### 4.8 Long Service Leave

Staff who complete ten years continuous service are entitled to long service leave at the rate of 1.3 weeks on full pay per year and proportionate amount for an incomplete year or fractional arrangements.

Staff must provide at least six months written notice of their intention to take long service leave. If less than six months' notice is given, it is at the supervisor's discretion to approve the leave. Leave is normally taken in blocks of not less than four weeks and at the staff member's current full time equivalent rate. Leave can be taken at half pay with supervisor's approval, provided the staff member does not have an excessive leave balance.

In circumstances where long service leave has been approved, approval may only be revoked by mutual agreement.

The University can direct a staff member with long service leave accruals exceeding eighteen weeks to proceed on long service leave of up to three months, at a time convenient to the needs of the University.

A staff member who has an entitlement to long service leave may request to have a proportion of their long service leave paid out. Requests for the payment of long service leave must be for a minimum of four weeks and will be limited to one request per calendar year. Where a staff member chooses to have a proportion of their long service leave paid out, they must retain a minimum entitlement of eight weeks.

##### 4.8.1 Recognition of Prior Service for Long Service Leave

The University will recognise up to five years long service leave credit for previous employment with another Australian university, the Commonwealth or State Public Service, or a Commonwealth or State Statutory Authority, provided there is no more than two months break in employment between the releasing institution and the University. The University will recognise the period of service with a releasing institution for which the staff member has received neither long service leave nor pay in lieu and for which employment involved duties closely related to those duties being undertaken at the University of the Sunshine Coast. Where a staff member has received payment by a previous employer for accrued long service leave or long service leave has been taken, the University will grant pro-rata long service leave after the staff member has been employed at the University for a minimum of three years. Where prior service is recognised, any long service leave subsequently granted by the University, or payment made in lieu of such leave, will be calculated as if such service had been service with the University.

To be considered, an application for recognition of prior service must be made within three months of appointment.

#### 4.9 Special Leave

Full-time staff may be granted up to three days paid special leave in special circumstances. Aboriginal and Torres Strait Islander staff, and staff from other cultural backgrounds, may be granted an additional two days special leave for cultural or religious days of observance. Special leave is non-cumulative, accrues on the anniversary of commencement and is subject to the approval of the supervisor.

#### 4.10 Family and Domestic Violence

Staff experiencing family and domestic violence in their personal life that affects their attendance or capacity to perform their work may be granted leave to attend to matters including, but not limited to:

- (a) medical appointments and legal proceedings;
- (b) protection of children and dependents; or
- (c) other necessary actions associated with the violence.

Full time staff may be granted up to 20 days per annum paid leave and fractional staff on a proportionate basis. Casual staff may be granted up to 10 days per annum paid leave.

The University may request evidence, which would convince a reasonable person that the staff member took the leave to deal with the impact of family and domestic violence.

Staff may also use their accumulated recreation, long service or sick leave to attend to necessary related matters.

More information on family and domestic violence and available support measures can be accessed by staff on MyUniSC (staff login required).

#### 4.11 Defence Force Training

Staff who are members of the Defence Force Reserves are entitled to leave on full pay for the purposes of attending annual training camp of up to 16 days duration or up to 18 days where certified by the relevant commanding officer.

#### 4.12 Jury Service

A staff member who is required to attend a Court for the purpose of jury service will be entitled to paid leave for the duration of such attendance. Any fees paid to a staff member by reason of leave to attend jury service will be payable to the University. Casual staff are entitled to unpaid leave for the purposes of jury service.

#### 4.13 National Sporting Events Leave

Full-time staff selected as national competitors, officials or umpires/referees to participate in major international and national sporting competitions may be granted five days leave on full pay each year. Fractional staff are entitled on a proportionate basis.

#### 4.14 Natural Disaster Leave

Where a staff member is prevented from travelling from their usual place of residence to attend duty as a result of floods, cyclonic disturbances, bushfires or earthquakes, three days paid leave per year may be granted. Where a staff member is required to return home to ensure their own safety, protection of their family or property, or availability of transport facilities which may later be disrupted or discontinued because of weather conditions, paid leave for the remainder of the day may be granted.

#### 4.15 State Emergency Call Out Leave

Full-time or fractional staff who are a voluntary member of the State Emergency Service, Voluntary Fire Brigade, or similar organisation can take paid leave during an emergency declared by a recognised authority. Casual staff can take unpaid leave.

#### 4.16 Trade Union Leave

Subject to the operational requirements of the relevant work area, a staff member who is nominated by the Union to attend a trade union training course, seminar or development activity including Council meetings, will be granted leave with full pay for the duration of the course, seminar or activity up to a total of five days in any one calendar year. Leave is non-cumulative. A staff member taking trade union training leave is required to give their supervisor reasonable notice of the leave of absence.

### 5. Applying for leave

Staff can view balances and apply for recreation, sick, carer's and long service leave (when entitled) at full pay via UniSCStaff (staff login required).

Instructions on how to apply online are available in the User Guide (staff login required).

For other leave types that cannot be applied for via UNI, e.g. sick leave without pay or sick/ carer's leave for staff on a fixed term contract of < 12 months, long service leave at half pay or leave without pay, a UniSC Connect Manual Leave form (staff login required) must be completed.

Applications to cash out recreation or long service leave are to be submitted using the UniSC Connect Cash Out of Leave form (staff login required).

Applications to purchase additional recreation leave are to be submitted using the UniSC Connect Purchase Leave form (staff login required).

Leave requests that have previously been approved can be cancelled, by submitting the UniSC Connect Cancellation of Leave form (staff login required).

#### 5.1 The role of the staff member

It is the responsibility of the staff member to apply for leave for the period of their absences with reasonable notice. In the cases of recreation and long service leave, staff may become aware of absences well in advance of the period of leave. In these situations, it is the staff member's responsibility to advise their supervisor of their intended absence so other work arrangements can be made. Reasonable notice is considered:

- Recreation Leave – not normally less than four weeks
- Long Service Leave – not normally less than six months

The staff member will, wherever practicable, give reasonable notice prior to an absence of the:

- (a) intention to take leave;
- (b) reasons for taking leave (including the relationship involved when accessing Carer's and Bereavement/Compassionate leave); and
- (c) estimated length of absence.

In the cases where it is not possible for a staff member to give reasonable notice prior to an absence, the staff member will notify their supervisor of the absence as soon as practicable, stating the details outlined above.

Where a staff member and supervisor anticipate that absences due to personal reasons may be regular or for extended periods, the staff member and supervisor should explore alternative means of balancing University needs and family and personal responsibilities, including fractional work and job sharing arrangements.

It is the staff member's responsibility to ensure that approval has been given before proceeding on leave.

### 5.2 The role of supervisors

Leave applications should be approved prior to the commencement of the leave period. Where this is not possible (e.g. sick leave) the supervisor can submit a leave request on behalf of the staff member or the staff member can submit a leave request on their return to work.

Supervisors should actively monitor leave balances and ensure staff manage their leave appropriately and take regular breaks to support their health and wellbeing.

### 5.3 The role of People and Culture

People and Culture maintain and process staff records, including leave applications. People and Culture can provide advice on:

- different types of leave available;
- leave entitlements;
- current leave applications;
- previous leave applications; or
- excessive leave balances.

END

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#### RELATED DOCUMENTS

- Parental Leave - Operational Policy

#### RELATED LEGISLATION / STANDARDS

- University of the Sunshine Coast Enterprise Agreement