

HR - Leave Entitlements

SCOPE: This policy applies to all employees that are permanently employed, this can be either part time or full time. Casual staff do not accrue annual leave or sick leave.

POLICY STATEMENT:

Headway Gippsland Inc is committed to supporting employees balancing their personal and work demands.

Leave is provided for all employees for rest and relaxation purposes and to enable them to fulfil personal responsibilities.

Leave Entitlements

The Social, Community, Home Care and Disability Services Industry Award 2010, which covers all employees, states the range and circumstances in which leave may be taken. The award can be accessed at the following address.

http://www.fwc.gov.au/documents/documents/modern_awards/pdf/ma000100.pdf

Employees are entitled to

- Annual Leave
- Sick Leave
- Carer's Leave
- Bereavement Leave
- Parental Leave
- Leave to attend jury service

Leave accrues on an hourly basis.

Approving and scheduling of leave

Annual leave should be taken in the year it is accrued. Employees must seek the approval of their immediate manager for any leave. Employees may request to accumulate more than the year's accrual for purposes that are planned. This requires the employee to put a request in writing to the Headway Board for approval. This should occur no later than six weeks before the requested time.

Where the employee believes the circumstances of their leave warrant are exceptional and warrant special consideration, they should approach their Manager and the General Manager.

Working additional hours

In exceptional circumstances CEO or delegate may approve staff working additional hours where circumstances are considered critical. Approval will not be granted retrospectively.

Employees who work less than full time may be paid out for the additional hours as long as this does not entail any overtime payment. This is to be approved by the Manager and General Manager.

A summary of leave entitlements appears on each payslip.

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Flexible working arrangements: No new arrangements may be entered into without the express approval of the Your Manager. All such existing arrangements may be removed by your manager with appropriate notice to the employee, and in any case, all existing arrangements must be reviewed every 12 months to ensure there is no detrimental impact on services or consumers.

Annual Leave

You are entitled to annual leave in accordance with the Social, Home Care and Disability Services Industry Award 2010, unless otherwise stated in your contract of employment.

It is the Employer's policy to encourage you to take all of your annual leave entitlement in the current year.

You must complete the annual leave request and have it Approved by management before you make any firm holiday arrangements.

Annual leave dates will normally be approved in a fair and equitable for all process whilst ensuring that operational efficiency of the business and appropriate staffing levels is maintained throughout the year.

You should give at least four weeks' notice of your intention to take annual leave of a week or more and one week's notice is required for odd single days.

Your annual leave entitlement will be at your normal basic pay unless shown otherwise in your contract of employment, plus the applicable leave loading entitlement.

The Employer may choose to shut down over the Christmas/ New Year period. If we do, you are required to reserve sufficient days from your annual leave entitlement to cover the Christmas / New Year shutdown period. If you have not accrued sufficient annual leave entitlement to cover this period, you will be given an unpaid leave of absence.

Public Holidays

Your entitlement to public holidays is in accordance with the Social, Home Care and Disability Services Industry Award 2010, unless otherwise stated in your individual contract of employment.

Personal/Sick/Carer's Leave

You are entitled to be paid for personal leave in accordance with the Social, Home Care and Disability Services Industry Award 2010, unless otherwise stated in your contract of employment.

Your entitlement to paid personal leave accrues over the course of your employment.

Full time employees are entitled to ten days of paid personal leave for each year of continuous service.

Part time and fixed term employees are entitled to this entitlement upon a pro-rata basis.

Casual employees are not entitled to paid personal leave.

Personal leave accrues, and will be credited to you, progressively throughout the year.

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You are entitled to take personal leave;

- Because you are not fit for work due to a personal illness or personal injury affecting you;
or
- To provide care or support to a member of your immediate family, or a member of your household who requires your care and support because of;
 - A sudden or unexpected personal illness or injury affecting the member; or
 - A sudden or unexpected emergency affecting the member.

If your entitlement to personal leave is exhausted, you may take two days unpaid carer's leave for each occasion when a member of your immediate family or a member of your household requires your care and support because of:

- A sudden or unexpected personal illness or personal injury affecting the member; or
- A sudden or unexpected emergency affecting the member.

You may also in this instance use your annual leave if approved by the Your Manager.

Notification of Personal, Carers, Sick Leave

You must notify the Employer by telephone on the first day of incapacity or at the earliest possible opportunity and, in any case, by no later than 1 hour before your usual start time.

The preferred method of notification is by phone call. E-mails are not an acceptable method of notification to your manager.

If your incapacity extends to more than seven days you are required to notify us of your continued incapacity once a week thereafter, unless otherwise agreed.

Evidence of incapacity

In the event you become unfit for duty due to personal illness or injury you shall be entitled to take a single day absence without evidence on no more than 5 occasions in any anniversary year.

In addition to this you shall be entitled to take on no more than three occasions an absence of up to 3 days with the production of a statutory declaration or medical certificate.

Any further absences due to illness or injury beyond the above provisions must be certified as such by a registered health practitioner.

Payment or non-payment for the absence will be made based on accrued entitlement balance.

In the event you test positive to Covid19 then provision of your dated positive test will suffice as your evidence and we encourage you to utilise your entitlements to leave. You must report your positive result as per current guidelines and provide evidence you have done so.

Absences that fall either side of a public holiday must be supported by a medical certificate.

If you are unable to provide the appropriate documentation to claim Personal/Sick/Carer's leave then you will be considered to be in breach of your entitlement to take leave. Trends of absence will be monitored and addressed.

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Return to work

You should notify your manager as soon as you know which day you will be returning to work, if this differs from a date of return previously notified.

If you have been suffering from an infectious, contagious or communicable disease or illness you must not report for work without clearance from your doctor.

General

Submission of a medical certificate may not always be regarded as sufficient justification for accepting your absence. Sickness is just one of a number of reasons for absence and although it is understandable that if you are sick, you may need time off, continual or repeated absence through sickness may not be acceptable to the Employer.

In deciding whether your absence is acceptable, the Your Manager will take into account the reasons for your absences and extent of them, including any absence caused by sickness/ injury.

We cannot operate with an excessive level of absence as all absence, for whatever reason, reduces the Employer's ability to operate successfully.

The Employer will not tolerate any non-genuine absences, and any such instances will result in disciplinary action being taken.

Parental Leave

If you or your partner become pregnant or are notified of a match date for adoption purposes you should notify management at an early stage so that your entitlements and obligations can be explained to you.

Under the Social, Home Care and Disability Services Industry Award 2010, employees who will have at least 12 months of continuous service as at the expected date of birth of the child, are entitled to 52 weeks of unpaid parental leave. Casuals with regular on-going work are also entitled to unpaid parental leave. You may request an additional 52 weeks of leave which will only be refused by the Employer on reasonable business grounds.

Other forms of leave, such as annual leave and long service leave, may be taken concurrently with parental leave, but when combined with the unpaid parental leave must not exceed the 52-week period.

You must give the Employer at least ten weeks prior notice of your intention to take unpaid parental leave.

This can be done Xero or Brevity

When advising of your intention to take unpaid parental leave you must provide the following;

- A medical certificate indicating the expected date of birth of the child, or, where the leave is adoption related, the expected date of placement;
- An expected return date; and
- Details of any parental leave your partner intends to take.

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Compassionate Leave

Full time and part time employees are entitled to two days paid compassionate leave for each occasion when a member of your immediate family or a member of your household;

- Contracts or develops a personal illness that poses a serious threat to their life; or
- Sustains a personal injury that poses a serious threat to their life; or
- Dies.

Long Service Leave

You are entitled to long service leave in accordance with the relevant laws of the state in which you are employed. Long service leave should be taken as soon as reasonably practicable after you become entitled to it.

Headway Gippsland Inc will pay to its employees their entitlement long service leave after Seven years of continuous paid service according to the Victorian Long Service Leave Act 2018.

In the event that a staff member resigns from Headway Gippsland Inc after seven years of continuous paid service the employee will be paid the pro-rata amount.

Procedure;

Employees should provide at least six weeks' notice of their leave. the employee submits the request to their manager for approval, via Xero or Brevity.

The Manager assesses the request for leave taking into account;

- Service delivery needs during the period requested.
- Balance in opportunities for all staff for taking leave during high demand periods e.g., Christmas, Easter and school holidays.
- Where the Manager approves the leave, the form is submitted to the Finance Manager for processing. The Manager notifies the Employee.

Where the Manager does not approve the leave, a discussion occurs with the employee on reaching an agreed period of leave and time frame.

Community Service Leave

You are entitled to community service leave in certain circumstances.

Community service leave is for eligible community service activities such as **SES, jury service and volunteer fire fighting.**

Other than for the first two weeks of jury service leave, where the Employer will top up the pay of a permanent employee, community service leave is unpaid.

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Frequently asked questions Annual leave	
How much annual leave do I get?	Employees are eligible for 4 weeks annual leave each year (pro-rata for part-time employees). It accumulates per hour that the employee works.
How do I apply for annual leave?	Leave is applied for through the Brevity App or Xero
What happens to accrued leave if I cease work?	When an employee ceases work, they will be paid any outstanding accrued annual leave to which they are entitled.
Can I take annual leave when I want?	There are no specific restrictions as to when you may take leave except as indicated below
How soon can a new employee take leave?	You must have completed your probation period before taking any leave unless prior agreement has been reached with your manager and the General Manager.
What is the smallest amount of leave I can take?	The minimum period of leave is half a day.
Is leave loading payable?	Yes. Leave loading of 17 ½ % is payable.
What happens if I get sick while on annual leave?	Sick leave for periods of five days or more is able to be approved while on annual leave. A medical certificate is required to substantiate this. Your annual leave will then be credited for the days of sick leave.
What happens if my annual leave falls during a public holiday?	Public holidays occurring during annual leave do not count as leave.
Sick leave	
Do I need a medical certificate when I am sick?	<p>Employees are eligible for up to 5 days of sick leave in an anniversary year without a medical certificate. The five days are single days not together and they are per anniversary year.</p> <p>Employees are also eligible for an absence of up to 3 days on no more than 3 occasions per anniversary year with the production of a statutory declaration or medical certificate.</p> <p>All other sick leave taken must be supported by a medical certificate.</p> <p>If sick leave is taken either side of a public holiday or weekend, a medical certificate is required.</p>

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Does sick leave accrue?	Yes.
What happens if I cease work?	Sick leave credits do not get paid out.
Can I use my sick leave to attend a medical appointment during working hours?	Yes, however, normally the minimum amount of sick leave granted is ½ a day, with only two exceptions. One of these is that the leave is for a medical appointment which is already on notice and approved by the Manager, or in the instance where you are sent home ill by your manager, or in their absence, the General Manager. In these latter instances sick leave may be granted by the hour.
What happens if I don't have any sick leave left and I am sick?	You are able to use other leave credits or where these have been exhausted, employees may be provided with leave without pay. You will only be paid for any sick leave if you have an available entitlement balance.
How do I apply for sick leave?	Leave is applied for through the Brevity App or Xero