



# CHERBOURG ABORIGINAL SHIRE COUNCIL

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## Leave Policy

### 1. Scope

This leave policy allows flexibility for employees to meet personal, family, work and community commitments without compromising the achievement of Cherbourg Aboriginal Shire Council (CASC) objectives. The policy applies to all employees.

### 2. How to apply for leave

All applications for leave are made on the Leave application form.

### 3. Who decides?

Your manager decides whether to approve your leave application.

### 4. Types of leave

This policy covers the following types of leave:

- Annual leave
- Personal leave (comprising Sick, Carer's, Bereavement and Cultural leave)
- Leave without pay
- Long service leave
- Emergency Service Leave
- Jury Service Leave

### 5. Annual leave

Full-time employees are entitled to annual leave of 20 working days for each year of service. Part-time employees are entitled to annual leave on a pro-rata basis. CASC has the discretion to approve or object to the taking of annual leave.

Annual leave may not be taken for periods of less than one day. Accumulation of more than 30 days annual leave is discouraged and employees will be directed to take their leave annually.

CASC requests 2 weeks' notice for all annual leave requests, at the discretion of the applicable manager.

### 6. Compassionate/Bereavement leave

You will be granted up to two days leave on full pay in respect of the death, life threatening illness or injury of a member of your immediate family or a member of your household. CASC may allow for additional time off at their discretion. Evidence in the form of a funeral notice, medical certificate or similar must be provided upon request.

An employee does not accumulate compassionate leave and it doesn't come out of their sick and carer's leave (or annual leave) balance. It can be taken any time an employee needs it.

*Definition of "immediate family":*

- spouse or former spouse
- de facto partner or former de facto partner
- child
- parent
- grandparent
- grandchild
- sibling, or a
- child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner (or former spouse or de facto partner).

This definition includes step-relations (eg. step-parents and step-children) as well as adoptive relations.

Employees will be able to take compassionate leave for other relatives (eg. cousins, aunts and uncles) if they are a member of the employee's household, or if the employer agrees to this.

## **7. Parental**

Parental leave is provided for in Division 8 of the Queensland Employment Standards (QES) and covers:

- (a) birth-related leave for an employee who is pregnant or whose spouse gives birth;
- (b) adoption leave; and
- (c) surrogacy leave.

All employees in Australia are entitled to parental 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.

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

## **8. Personal leave or carer's leave**

The term "personal/carers leave" effectively covers both sick leave and carer's leave. The amount of sick leave to which a CASC full-time employee is entitled to is 12 days per year.

Employees are required to notify CASC as soon as possible when they are absent due to illness or injury and to indicate how long they expect to be absent. Failure to do so may lead to disciplinary action.

No payment will be made for unused personal leave. Your absence from work on personal leave for two or more consecutive working days (including Friday and Monday) needs to be supported by a medical certificate to the satisfaction of CASC.

Employees may take paid personal/carers leave:

- 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.

## **9. Leave without pay**

CASC reserves the right to accept or decline applications for leave without pay/

## **10. Long service leave**

(a) Long service leave, including for casual employees, is provided for in Division 9 of the QES. Clause 22(b) supplements the QES.

(b) In lieu of the provisions of sections 95(2)(a) and (b) of the Act, all employees covered by this Section who complete 10 years' continuous service are entitled to long service leave at the rate of 1.3 weeks on full pay for each year of continuous service and a proportionate amount for an incomplete year of service

CASC requests 1 months' notice for all long service leave requests, at the discretion of the applicable manager.

## **11. Jury service**

Jury service is provided for in Division 12 of the QES.

Employees must advise their employers of the period or expected period of leave as soon as possible by providing a copy of the letter received. If an employee requests leave they need to provide evidence showing they attended jury selection or jury duty.

Full-time and part-time employees have to be paid 'make-up pay' for the first 10 days of jury selection and jury duty. Make-up pay is the difference between any jury duty payment the employee receives (excluding any expense-related allowances) from the court and the employee's base pay rate for the ordinary hours they would have worked.

Before paying make-up pay, an employer may request evidence from the employee to show:

- that the employee has taken all necessary steps to obtain jury duty pay
- the total amount of jury duty pay that has been paid or will be payable to the employee for the period.

If the employee can't provide evidence, they won't be entitled to make-up pay.

## **12. Service leave**

(a) Where:

(i) an employee attends camps, courses or schools of Her Majesty's Naval, Military or Air Forces on service leave; and

(ii) where the service pay received by such employee is less than the employee's ordinary hourly rate of remuneration as an employee employed by the employer, the employer shall pay the employee the amount of the difference between the employee's service pay and the employee's ordinary remuneration.

(b) Service pay for the purposes of this clause means and includes all payments received by the employee from Her Majesty's Forces in respect of service, during the period of service leave, on whatever day or days, Monday to Sunday, inclusive, of the week or weeks in question.

*Acknowledgment by the employee:*

I have received a copy of the above policy which I have read and understood.

Signature:.......... Date: .....*24/08/2020*.....

Chatur Zala  
**Chief Executive Officer**

24 August 2020



*Amendments:*

*11/02/2020 – Changed the days of Personal Leave accrued to 12days per year, not dependent on years in service*