

LEAVE MANAGEMENT POLICY

PURPOSE

The purpose of this Policy is to provide a consistent application of the Leave Provisions in the Local Government Industry Award by: -

- a. Facilitating consistency throughout the Shire of Quairading in administering the leave provisions for employees.
- b. Provide Management with direction to effectively manage the annual and long service leave entitlements of employees.
- c. Encouraging Employees to take leave by reinforcing the positive benefits of taking leave when it becomes due.

OBJECTIVE

To ensure Employees are familiar with the process for accessing their leave accruals in accordance with the National Employment Standards and the provisions of the Local Government Industry Award.

POLICY & PROCEDURE

This Policy applies to all Employees who are employed on a full time or part time basis, but does not apply to employees employed on a casual basis (apart from long service leave which does apply to casuals).

- a. Employees are entitled to annual and long service leave consistent with the provisions of the National Employment Standards and the Local Government Industry Award: -
 - i. Full Time Employees are entitled to four weeks leave per annum
 - ii. Part Time Employees accrue annual leave on a pro rata basis
 - iii. Annual leave accrues progressively and accumulates from year to year
 - iv. The entitlement is 13 weeks of long service leave for every ten years of continuous service (for a Full time Employee) Part Time and Casual Employees long service leave is based on the hours they have worked in the 12 months prior to their Anniversary date.
- b. All employees are required to take long service leave within one year from the date in which it is accrued, subject to any approval of deferred long service leave by the CEO.
- c. In the case of the CEO, Council is to consider an Application for the deferral of long service leave.

1. Approvals and Obligations

- a. Leave applications forms are required to be completed and submitted for approval to the relevant Manager/Supervisor.

- b. Leave applications may be considered in the context of needs of the employee, operational requirements and the Team Leave Roster (in particular, if there are multiple employees seeking leave).
- c. Managers are required to consider how the duties and responsibilities of the position are to be delivered in the absence of the employee on leave.
- d. After approval by the Chief Executive Officer, leave forms are forwarded to the Senior Finance Officer for processing.
- e. It is the obligation of individual employees, in conjunction with their Manager/Supervisor, to determine whether there is a need to communicate their impending absence to other employees.
- f. As a general rule, Managers should advise all employees of the absence and what acting arrangements, if any, have been put in place during the period of leave.

Where coverage is not possible to accommodate all leave applications submitted, it is the responsibility of the Manager and the Chief Executive Officer to consult the affected employees regarding the situation to enable a resolution to be achieved.

2. Taking of Leave

The Manager or Supervisor is required to manage the taking of leave and maintain a leave roster ensuring that adequate coverage of functions is maintained.

- a. Council and Chief Executive Officer as the Employer, will endeavour to approve leave applications to meet the convenience of the employee, however the operational needs of the Local Government must be considered.
- b. Leave application forms should be signed by the applicant and signed by the responsible Manager and Final Sign Off by the Chief Executive Officer. All leave application forms need to be forwarded to the Senior Finance Officer for action.
- c. Where an employee requires a period of personal leave, such as for injury or illness while on annual leave they may apply to have the leave reversed in line with the Notice and Evidence requirements set out in the *Fair Work Act 2009 (Cth)* (which requires a Doctor's Certificate stating the Employee is unfit to perform their usual duties)

3. Leave Rosters

- a. Executive Staff are required to develop and maintain leave rosters that identify proposed relief/coverage arrangements for all employees within their area of responsibility.
- b. Where Relief is required, this is to be negotiated by the relevant Manager with the Chief Executive Officer and recruitment to be undertaken by the Administration.
- c. To encourage effective workforce planning, teams are to monitor the leave roster to ensure that sufficient employees are available to cover for peak workload periods and Holiday Periods.
- d. Supervisors should regularly monitor the leave taken to ensure that the total accrued leave does not exceed this policy.

4. Excess Leave

NES Standards for Excessive Accruals and Annual Leave are: -

- a. An Employee has an excess leave accrual if the employee has accrued more than 8 week's paid annual leave
- b. Annual leave is taken by agreement, but the employer may not unreasonably refuse an employee's request to take annual leave.
- c. Provided 4 weeks' Notice is given, a Local Government may require an Employee to Take Annual Leave:-
 - i. As part of a close-down of its operation (such as over the Christmas/ New Year period)
 - ii. Where more than 8 week's leave is accrued provided the employee retains a balance of at least 6 weeks
- d. Employees should be informed that under the provisions of the *Local Government (Long Service Leave) Regulations* (please see below for more detail):

"Where the commencement of long service leave has been postponed to meet the convenience of the employee beyond a period of six months, the rate of payment for or in lieu of that leave shall be at the rate applicable to the employee for ordinary time (excluding allowances) at the end of the period of 6 months unless otherwise agreed in writing between the Local Government and employee."

5. Cashing out of Annual Leave

- a. An employee may request to cash out up to 2 weeks' annual leave every 12 months, as long as they maintain a balance of 4 weeks annual leave.

6. Deferral of Long Service Leave

- a. Within six months of long service leave becoming due, Managers/Supervisor are to be advised by the Chief Executive Officer and the Senior Finance Officer of employees within their team who have not cleared long service leave for that year, if the entitlement has become due.
- b. Employees are required to formally seek approval from the Chief Executive Officer to defer long service leave. This deferral request is to be in writing and clearly identify the amount of leave accrued, at what date it will be cleared and why it has not been cleared.
- c. Where the commencement of long service leave has been postponed to meet the convenience of the employee beyond a period of six months, the rate of payment for or in lieu of that leave is to be at the ordinary time rate payable to the employee (excluding allowances) at the end of the period of six months unless otherwise agreed in writing between the Shire of Quairading and the employee.

7. Variation to Policy

This policy may be cancelled or varied from time to time at the discretion of Council. All of the Shire of Quairading's employees are to be notified of any variation to this policy in writing.

GUIDELINES

Local Government (Long Service Leave) Regulations

National Employment Standards

Local Government Industry Award 2020

Fair Work Act 2009.

STATUTORY ENVIRONMENT

Local Government (Long Service Leave) Regulations

National Employment Standards

Local Government Industry Award 2020

Fair Work Act 2009.

Record of Policy Review					
Version	Author	Council Adoption	Resolution	Reason for Review	Review Date
01	Graeme Fardon	24 November 2016	89-16/17		
02	Graeme Fardon	20 December 2018	115-18/19	<i>Policy Review Project – 5/12/2018</i>	
03	Graeme Fardon	17 December 2020	97-20/21	Biennial Policy Review	December 2020