

Policy Name: Leave Policy

Objective and Scope

Unless specified otherwise, employees referred to in this policy mean permanent full-time or part-time employees.

All employees are entitled to leave in accordance with the relevant awards or agreements and statutory provisions. Where the entitlements or practices in this document conflict, the applicable award, workplace agreement, employment contract or employment law takes precedence.

All planned leave has to be mutually agreed, and take into account workloads and the employee's needs. Leave must be approved in advance, except when the employee can't anticipate the absence. Any documents regarding leave will be kept on the employee's personnel file.

Annual Leave

Typically, annual leave is four weeks' paid leave accrued for each 12 months of employment. This varies in some awards and workplace or employment agreements. A holiday close-down may be specified in the award or workplace agreement.

Each employee is entitled to a minimum of {20} days annual leave a year (pro-rata for part-time). Leave entitlements are calculated from the date they started work and accrue in accordance with workplace relations legislation or industrial instruments. Annual leave counts towards continuous service (used when calculating long service leave). Applications for annual leave need to be lodged 4 (when possible) weeks in advance.

An employee is expected to take accrued annual leave for business close down periods. If insufficient leave is accrued, Nunawading Gymnastics & Sports Club may direct an employee to take unpaid leave.

Nunawading Gymnastics & Sports Club will decide on a case-by-case basis whether it will agree with an employee to 'cash out' annual leave as permitted by workplace relations legislation or any industrial instrument.

In some circumstances, leave in advance of what leave has accrued may be approved. This is conditional on the employee agreeing to the business deducting any advance in the event of termination, or to the employee accepting leave without pay.

Personal (sick) leave policy

Sick leave is part of personal/carer's leave. Personal/Carer's leave is an employee entitlement which is contained in the National Employment Standards.

An employee is entitled to a minimum of 10 days of personal/carer's leave every 12 months which can all be taken as carer's leave if required. Paid personal leave accrues at the rate of {X} days per month of service and is cumulative.

An employee should notify his/her manager as soon as possible if they are unable to attend work due to illness or injury. Management, at its discretion, may request evidence such as a medical certificate showing that the employee was entitled to take personal leave during the relevant period.

Carer's Leave Policy

Carer's leave is available to an employee for the care or support of an ill family or household member or if an unexpected emergency affects a family or household member. It is typically part of personal (sick) leave and is dealt with similarly to above.

Employees including casual employees are entitled to take up to two days unpaid carer's leave for each occasion of family or household member illness or unexpected emergency. An employee cannot take unpaid carer's leave if they could instead take paid carer's leave.

Compassionate leave policy

Compassionate leave is paid leave taken by an employee to spend time with a family member/member of the employee's household, who has a personal illness, or injury, that poses a serious threat to his/her life, or after the death of a family member/member of the employee's household.

Each employee is entitled to a period of two days paid compassionate leave for each occasion where a family member has died, or the employee needs to spend time with a seriously ill family member. Additional unpaid leave maybe granted at management discretion.

Casual employees are entitled to two days unpaid compassionate leave for each occasion.

Long service leave policy

Full time, part time, and casual employees all accrue long service leave.

An employee will be entitled to take long service leave after 10 years of continuous employment with one employer (see phasing in arrangement). The date of commencement of long service leave is to be agreed between the employee and the employer.

An employee ceasing employment after at least seven years of continuous employment with one employer is entitled to be paid long service leave at the accrual rate of one week for each sixty weeks of continuous employment, regardless of the reason for termination of the employment.

Employees are entitled to long service leave in line with Victorian long service leave laws (or per a relevant Award or Agreement).

Parental leave policy

Entitlements listed here are based on the National Employment Standards.

Unpaid parental leave

Employees (including a de facto or same sex partner, or single person) who are expecting a child or adopting a child are eligible for 52 weeks of unpaid parental leave if they are:

- permanent full-time or part-time with at least 12 months service prior to the expected date of birth or adoption placement
- casual with 12 months regular and systemic service who have a reasonable expectation of continuing regular and systematic work

After birth or adoption, the parent with responsibility for the care of the child is entitled to unpaid parental leave. Employees who are pregnant may commence leave up to six weeks before the expected date.

Employees may request to extend their leave by a further 12 months (for a total of 24 months maximum), to be submitted in writing at least four weeks before the end of the original 12 months unpaid parental leave.

Nunawading Gymnastics & Sports Club will respond in writing within 21 days and may refuse only on reasonable business grounds. The written response will include details if the request is refused.

Parental Leave types:

Available Parental Leave types at Nunawading Gymnastics & Sports Club include:

- Parental Leave
- Concurrent Leave
- Special Maternity Leave

Parental Leave

If you are the primary caregiver of your child, you can access up to 52 weeks of Parental Leave.

Parental leave is unpaid except in the instances where an employee is eligible for Parental Leave Pay in line with legislation. Parental Leave with Pay is described in full in the following section.

Special Maternity Leave

Unpaid Special Maternity Leave is available to pregnant female employees in the case of pregnancy-related illness or if the pregnancy ends within 28 weeks of the expected date of birth. The duration of this leave should be agreed with the {Business Owners} as soon as is practically possible, and any unpaid Special Maternity leave will reduce the amount of Maternity Leave you are entitled to take by the same amount.

Parental Leave Pay

The Australian Government has announced a new policy in relation to Parental Leave Pay (2016). These changes are not yet in place.

Eligible employees who are the primary carer of a newborn get up to 18 weeks leave paid at the national minimum wage. These payments are made to the employer first, who then pays them to the employee. These payments can be paid before, after or at the same time as other entitlements such as annual leave and long service leave.

Parental Leave Pay from the Australian Government doesn't change paid parental leave from an employer – an employee can be paid both.

Where relevant, Parental Leave Pay will be paid in line with the standard Nunawading Gymnastics & Sports Club pay cycles.

Primary Caregiver Pay

In line with legislation, eligible employees who are the primary caregiver may be entitled to 18 weeks paid leave, paid at the minimum wage. Please note that a child's primary caregiver is the person who

is most meeting the child’s physical needs. This will usually be the birth mother of a newborn child or the initial primary caregiver of an adopted child, even if your child is in hospital.

This leave is not in addition to the 52 weeks parental leave mentioned above. Any periods of unpaid and paid Parental leave must not exceed 52 weeks in total.

Employees may take subsequent periods of paid Parental Leave, however, in order to be eligible for this, you must return to work and complete a minimum of 12 months continuous service following your return from any previous paid Parental Leave.

Parental leave for partners

Generally, only the parent with responsibility for the care and welfare of the child is entitled to take unpaid parental leave. However, up to three weeks unpaid parental leave may be taken at the same time by both members of an employee couple, with the period of concurrent leave starting on the day of the birth (unless the manager agrees to other arrangements).

Applying for leave

An employee wishing to take unpaid parental leave must provide written notice at least 10 weeks before starting the leave (or as soon as is practicable) including the intended leave start and end dates.

Leave dates or any changes of dates must be confirmed at least four weeks before the leave starts. The manager will confirm the leave and any affected entitlements such as continuous service in writing.

Other Paid leave
Annual leave

If the employee has paid annual leave available, he or she may, in agreement with the manager, take some or all of that leave at the same time as the unpaid parental leave.

Time off for antenatal appointments, adoption interviews or examinations

Personal leave may be available for attendance at medical appointments. Appointment times and the availability of leave should be discussed with the manager.

Employees must provide notice of the leave including expected leave period as soon as practicable (which may be after the leave has started).

Leave for pregnancy related illness

If an employee is ill during her pregnancy, she may access her ordinary sick leave entitlements, including any accrued leave.

If an employee experiences extended illness due to pregnancy, she can access unpaid 'special maternity leave' for the period her treating doctor certifies is necessary. Special maternity leave is included in the 52 weeks available unpaid parental leave period.

The employee must make a special maternity leave application as soon as practicable which details the period of leave required. The manager may request a medical certificate and if so, this must be provided by the employee.

During parental leave

Even though the employee is on leave, they will continue to be protected against discrimination as an employee. See the Equal Employment Opportunity policy on page **Error! Bookmark not defined..**

Nunawading Gymnastics & Sports Club respects that some employees do not want any contact while on leave, and others do. The manager should discuss with the employee what sort of communication the employee would like while on leave, and record this agreement.

While an employee is on unpaid parental leave, Nunawading Gymnastics & Sports Club will ensure that the employee is considered and kept informed of significant changes that may occur in the business.

Where a decision will have a significant effect on the status, pay or location of the pre-parental leave position, the Nunawading Gymnastics & Sports Club will take all reasonable steps to inform the employee and discuss the effect of the decision. During any restructures, employees on parental



leave will be treated no less favourably than other employees and will be kept informed of the process.

If an employee has applied for less than 52 weeks unpaid parental leave, they can extend the period of leave once to take the total leave up to a maximum of 52 weeks. The employee must give at least four weeks' notice prior to the end date of the original leave period. A period of unpaid parental leave may be reduced by agreement between Nunawading Gymnastics & Sports Club and the employee.

An employee can resign while on parental leave but they must give the required notice of resignation as set out in NG&SC employment contract.

For any other information regarding Leave please visit Fairwork Australia.

This policy is accompanied with a Leave Register and Leave form.

This Policy was implemented by the Committee of Management of the Nunawading Gymnastics & Sports Club Inc. in January 2017.

Date: January 2017

Review date: 2018

Approved By:

- **President – Anthony Yin**
- **Secretary – Jackie Whitbourn**

