

Leave Policy

Purpose: This policy provides key principles for the management and use of leave by employees across SILC.

1. What is this policy for (Policy Statement)?

SILC is required to provide employees with paid and unpaid leave in accordance with legislative provisions and is committed to doing so in a way that supports employees to manage their work and personal commitments

2. Why is policy important (Purpose)?

This policy provides key principles for the management and use of leave by employees across SILC

3. Who does this policy apply to (Target Audience)?

- The policy applies to the following audience:
 - Support Workers
 - House Managers
 - SILC Head Office

4. How does this policy look like in action (Policy in Practice)?

- Our services are:
 - Person-centred and appropriate to the individual resident needs
 - Respectful of every resident's right to access suitably qualified and experience supports
 - Collaborative with the resident/family in the recruitment of employees
 - Aligned with quality and safeguarding requirements
 - In line with legal and ethical responsibilities

4.1 Annual Leave

The number of hours of accrued of annual leave for all staff is as specified in their Employment Agreement. Annual leave is not accrued for:

- Maternity leave
- Payments for administrative allowances
- Payments for cashed-out leave
- Compulsory superannuation contributions

Annual leave can be taken as paid days off up to the full amount of accrued leave or cashed out. Employees need to have at least 4 weeks' annual leave left after the cashed out amount

Permanent employees are not entitled to take any paid annual leave in their first 3 months of employment.

Approval of leave is subject to approval of the person's supervisor and based on the needs of the home. Leave requests of more than 1 week will require 4 weeks' notice. Anything less than a week is at the discretion of the rostering manager.

Paid annual leave will accrue until termination of employment but employees are encouraged to take at least 2 weeks annual leave each year.

Unpaid annual leave can only be taken when paid annual leave has been fully used up.

Casual employees are not entitled to annual leave.

4.2 Sick Leave

Permanent employees are eligible for sick leave when ill or injured. Sick leave is not to be used when absences are not connected with ill health or injury.

The number of hours of available paid sick leave or personal leave is as specified in their Individual Employment Agreement. Part-time permanent employees are eligible for pro rata sick leave to a maximum of 38 hours per week for two weeks each year.

Permanent employees are not entitled to take any paid sick leave in their first 3 months of employment.

Sick leave will be paid at the weekday hourly rate.

Permanent employees must provide a medical certificate for absences of more than 1 day.

The dollar value of untaken available sick leave accumulates from year to year until the end of the worker's employment.

Permanent employees may take sick leave without pay if they have exhausted their paid sick leave entitlement, noting that an employee can elect to use other forms of paid leave in (e.g. annual leave) in these circumstances.

Casual employees are not entitled to paid sick leave.

4.3 Personal Carer's Leave

Personal/carer's leave allows for flexible use of other leave entitlements (including sick leave) for employees to provide care and/or support for members of the employee's family or household who are sick.

The personal/carer's leave is available to permanent staff.

4.4 Maternity, Adoption and Parental Leave

The number of weeks of maternity/ adoption or parental leave available to staff is as specified in their Employment Agreement.

Eligible permanent employees must apply for parental leave at least 10 weeks in advance of the date of commencement of the leave. An eligible employee who is the primary carer is entitled to up to 51 weeks unpaid leave.

Permanent employees with over 12 months of continuous employment 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) are eligible for parental leave which complements the government's Paid Parental Leave scheme.

Fathers/partners are entitled to paid secondary carer parental leave at the weekday hourly rate for the average number of hours worked per week over the 12 months prior to the commencement of the leave to a maximum of 38 hours per week for 2 weeks.

4.5 Long Service Leave

After 10 years of continuous employment from the employee's commencement date, the employee can take 10 weeks' paid long service leave. If the employee's hours have changed, long service leave will be paid at the then Pay Scale and allowances based on the employee's average regular roster over the previous 2 years.

Potential long service leave will accrue as 1/52 of gross pay excluding:

- Maternity leave
- Payments for administrative allowances
- Payments for cashed-out leave
- Compulsory superannuation contributions

Long service leave accrued after 10 years can be carried forward. Each subsequent 5 years will entitle the employee to an additional 5 weeks of paid long service leave. On termination of employment, the employee will be paid untaken long service leave at their 10 year, 15 year or 20 year date.

4.6 Leave without pay

Leave without pay can only be taken when paid annual leave has been fully used up. Approval of leave without pay is at the discretion of their supervisor, and will need to balance out meeting the operational needs of the residents.

4.7 Compassionate Leave/ Bereavement Leave

In addition to paid personal leave, employees, including casual employees, are entitled to 2 days of paid compassionate leave (also known as bereavement leave) when a member of their immediate family dies or suffers a life-threatening illness or injury.

4.8 Accounting for Accrued Leave

When the employee's employment with SILC ends, SILC will pay the employee any amount of accrued annual leave and, if the employee has completed 10 years of continuous service, any accrued long service leave. Unused sick leave and personal leave will not be paid on termination of employment.

SILC will track the employee's accrued annual leave, accrued long service leave and available personal leave and report it to the employee on a regular basis or when requested by the employee.

4.9 How to apply to leave.

To request leave approval, you must submit a leave request through [SILC Leave Request Form](#).

The leave request will be sent to your line manager for approval. Leave is not approved until you receive an approval email.

It is the responsibility of the House Manager to record this leave on Wageloch appropriately for payment.

5. Legislation

National Employment Standards

<https://www.fairwork.gov.au/leave>

SCHADS award Part 6

https://awardviewer.fwo.gov.au/award/show/MA000100#P936_79459

6. Related Documentation

Support Workers

- Individual Flexibility Agreement and Common Terms

House Managers

- Individual Employment Agreement

SILC Head Office

- Individual Employment Agreement

7. Policy Review

Name of policy	Leave Policy
Date accepted	8 August 2021
Date of previous version	First version

Date of review	8 August 2022
Person responsible	Chairperson