



Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation

Date of last amendment : 06/06/2022

Leave policy

Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation's leave policy permits employee to take pre-approved leave to meet personal, family, work, and community commitments, without compromising overall productivity nor the achievement of Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation's business objectives.

This policy applies to all permanent employees excluding casuals and temporary staff.

It is mandatory for all permanent employees to record their absences from work. It is important that managers ensure that when absences occur that they are properly recorded in Happy HR via the Leave tab.

This policy is subject to an employee's entitlements in their contract of employment and does not create contractual rights in employees' favour.

How to apply for leave:

To apply for leave you need to complete a Leave application request via Happy HR. Login to Happy HR and navigate to the Leave tab via your employee dashboard or via the app and lodge your leave using the leave request form. You must obtain approval from your direct manager prior taking any planned leave, such as annual leave.

In case of unscheduled or unplanned leave, you must complete the leave request after the event which will be submitted to your direct manager. The direct manager should then validate and approve the leave in Happy HR.

Leave approval:

The direct manager of an employee has the authority to approve the leave application, guided by the company policy, legal rights and obligations.

Managers are responsible for making sure that the department continues to deliver high-quality service to internal and external customers while the employee is on leave. Managers also need to take into consideration the overall operational needs of the department prior to approving a leave request.

Applications for leave in advance of entitlements and/or leave without pay must also be approved by the Director or relevant senior manager.

Types of leave:

Types of available leave can include but are not limited to:

- Annual
- Personal (including sick & carer's)
- Compassionate/Bereavement
- Parental (including maternity)
- Long Service Leave
- Public Holiday
- Religious Leave

- Jury Duty
- Leave without pay
- Family violence

The award for your relevant industry will cover off on your leave entitlements. Please speak to your manager for more information and for further details regarding any leave queries.

Annual Leave:

Permanent full-time employees are entitled to 20 days paid annual leave for each completed year of service in accordance with the Fair Work Act. Permanent part-time employees are entitled to annual leave in proportion – i.e. the percentage their working week represents compared to the full-time week (pro-rata).

Generally, an employee is entitled to take annual leave after the first year of service has been completed. Exception must be approved by the Director or relevant senior manager.

Annual Leave accrues from one year to the next, but it is Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation's policy to discourage accumulation of more than 21 days annual leave. Employees in this situation may be directed to take a portion of their annual leave.

Notice of application for annual leave:

Employees who wish to apply for annual leave must complete a leave application request via Happy HR which is submitted their direct manager for approval to ensure continuity of service. For fairness the employee must give as much notice as possible.

Leave for up to Three (3) days - application must be submitted 1 week prior to the leave.

Leave for Four (4) days or more - application must be submitted at least 4 weeks prior to the leave.

Leave application will be approved at the discretion of the manager taking into consideration the business needs. For further information on approval of leave, please see the "Leave Approval" section within this policy.

Annual leave in advance of entitlements:

Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation may approve, under special circumstances, the taking of annual leave before the full 20 working days has been accrued. However, the amount of leave granted will not exceed the pro rata entitlement of the employee at the time the leave is taken. In recommending approval, managers should consider the merits of the application together with the current and projected workload requirements. Any application of this kind must also be approved by the Director or relevant senior manager.

Cashing out annual leave:

Employees may cash out annual leave, but they must meet the following criteria:

1. Their award/registered agreement allows it.
2. Four weeks of leave must remain after the cashing out.
3. Cashing out is limited to a maximum of two weeks every 12 months.
4. Employers must create a separate agreement for each cash-out

Personal leave covering sick leave/carers leave:

Personal Leave effectively covers both sick leave and carer's leave. All permanent full-time employees are entitled to 10 days (as per the Fair Work Act) paid carer's/sick leave per year which accrues progressively during a year of service according to the number of ordinary hours worked and can accumulate from year to year.

An employee will receive the same amount as would have been paid if they had worked ordinary hours that day.

An employee may take paid personal leave to provide care or support for a member of their immediate family or household, because of a personal illness, injury, or emergency affecting the member. A member of the employee's immediate family means a spouse, de facto partner, child, parent, grandparent, grandchild, or sibling of an employee; or a child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner.

All unpaid personal leave must be approved by your direct manager.

Casual workers are not entitled to any paid personal Leave as their hourly rate has already been loaded to include an amount in lieu of this leave.

All unused personal leave entitlements will accumulate from year-to-year and are not payable upon termination.

When you are sick:

An employee who is unable to attend work as a result of personal illness or injury is required to notify or arrange for someone else to notify by telephone call only, their direct manager as soon as practicable and not later than 9:00 am of the day of commencement of the absence. Texting or emails are not considered as sufficient notice. The employee should advise the likely duration of the absence and the nature of the illness/injury. Failure to do so may result in disciplinary action.

Proof of illness:

A medical certificate from a registered medical practitioner needs to be provided in the following circumstance:

- Absence from work on sick leave for one or more consecutive working days (including Friday and Monday).
- Absence on a working day before or after a public holiday or a weekend.

Proof of illness of immediate family:

At the request of Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation, the employee may need to provide a medical certificate from a registered medical

practitioner as proof of illness of their immediate family.

Compassionate / bereavement leave:

All permanent employees are entitled to 2 days of paid compassionate/bereavement leave to spend time with a member of their immediate family or household who has sustained a life-threatening illness or injury.

Compassionate leave may also be taken after the death of a member of the employee's immediate family. This includes spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee or their spouse. Compassionate leave does not apply for more distant family members.

An employee may take compassionate leave for each occasion as:

- A single continuous two day period or
- Two separate periods of one day each

Should any distressing circumstances accompany a family bereavement such that additional leave may be required, the matter should be referred to the Director or direct manager.

Notification:

The employee should immediately notify their direct manager of the death or circumstance described in the above clause and mutually agree on the bereavement leave dates within a reasonable timeframe. Leave request must be submitted by the employee to their manager for approval.

Parental leave:

All employees in Australia are entitled to parental leave as set out in the Fair Work Act. Parental leave allows parents to be able to take time off work to care for their new baby. This includes adopted babies. Parental leave includes maternity leave (for mothers), paternity leave (for fathers) and adoption leave (for either parent) Please refer to the relevant legislation and/or further company documentation for more information.

Recruitment of parental leave replacement:

The hiring manager is responsible for advising the replacement employee, (where engaged as a result of an employee proceeding on parental leave), of the possible temporary nature of the position and of the rights of the employee who is being replaced.

Long service leave:

Long Service Leave is governed by specific State and Federal legislation. Please refer to the

relevant legislation or employment documents for more information regarding Long Service Leave entitlements.

Taking of long service leave:

Long service leave may be taken at the time of accrual, or within two years of accrual, at a time mutually acceptable to Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation and the Employee. Under no circumstances may an employee commence long service leave until the application has been approved.

Payment of long service leave:

An employee is paid their ordinary rate of pay as at the time of taking the leave.

Public holiday:

Permanent full-time employees are entitled to paid public holidays as set in Fair Work Act. An employee is not entitled to payment if they do not have ordinary hours of work on the public holiday. For example, a part-time employee is not entitled to payment if their part-time hours do not include the day of the week on which the public holiday falls.

Religious leave:

Employees who wish to observe religious holidays, which do not coincide with company public/privilege holidays can either use their annual leave or take unpaid leave (subject to manager approval).

In the interests of equality those practicing other religions should be given preferential treatment when booking leave on the religious festival dates of most significance to them, providing these days are booked with as much notice as possible in order to assist operational arrangements.

If an employee requests extended leave at a particular time for religious reasons, for example for the purpose of going on pilgrimage, the company would reasonably attempt to accommodate the request.

If the extended leave exceeds the employee's annual holiday entitlement, the excess days may be taken as unpaid annual leave. If an individual requests the opportunity to carry over leave from one year to another for religious purposes managers should agree to such requests if operationally possible.

Community service leave:

In accordance with the Fair Work Act, employees are entitled to be absent from work for the purpose of performing eligible community service activities such as:

1. A 'voluntary emergency management activity';

2. Jury service (including attendance for jury selection) that is required by or under a law of the Commonwealth, a State or a Territory;

An employee engages in a voluntary emergency management activity only if:

1. The employee engages in an activity that involves dealing with an emergency or natural disaster;
2. The employee engages in the activity on a voluntary basis;
3. The employee is a member of, or has a member-like association with, a recognised emergency management body and either or
4. The employee was requested by or on behalf of the body to engage in the activity.

Community service leave is unpaid leave, except in relation to jury service.

Jury duty:

An employee (other than a casual) who is summoned to jury duty or witness service will receive paid leave of absence for the period designated by the court. If the employee is excused from such duty or service for one or more regularly scheduled workdays because of court adjournment or other reason, the employee is expected to report for work and resume regular duties.

In return for the paid leave, the employee is required to pay Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation the amount received from the court less their travelling expenses and reasonable meal costs. For this purpose "travelling expenses" are deemed to be fares paid on public transport or parking fees paid in connection with the use of a private vehicle. Apart from travelling expenses and reasonable meal costs, the full balance of money paid by the court is to be paid to Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation.

The employee must submit evidence of the amount received when refunding the monies received from the court.

Where an employee is called for jury duty or witness service during their annual leave, the period spent will not count against that person's annual leave credit.

Notice and evidence:

Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation requires the employee to provide evidence such as the total amount of jury service pay that has been paid, or is payable, to the employee for the period.

An employee's absence from their employment is not covered by community service leave unless the employee complies with the notice and evidence requirements under the Fair Work Act.

Leave without pay:

Applications for any leave without pay must be approved by the Director or relevant senior manager.

Excessive annual leave:

Excessive annual leave occurs when an employee on an award has accumulated at least 8 weeks (10 weeks for shift workers) of leave. After first trying a verbal negotiation, employers can direct an employee to take annual leave if:

1. A written request is provided to the employee with at least 8 weeks' notice (and not more than 12 months) of when the leave will start.
2. The direction does not result in the employee retaining less than 6 weeks paid annual leave.
3. The employee is not directed to take any period of leave of less than one week.
4. The direction does not impact any leave arrangements already in place, such as agreed leave, nor is it inconsistent with any policy or contractual provisions in the workplace.

Leave in advance:

Leave in advance can be taken where it has been approved by the Director or relevant senior manager and where the employee and employer sign a written agreement that specifies:

1. How much annual leave is to be taken in advance.
2. The day the leave will start.

If an employee takes leave in advance and subsequently their employment is terminated, before they've accrued back the leave, the company may deduct the amount owing from the employee's final pay or seek to be directly reimbursed the amount owing.

Family and domestic violence leave:

Employees have access to 5 days of unpaid family and domestic violence leave each year. Employees can take the leave to deal with the impact of family and domestic violence.

This includes (but isn't limited to) taking time to:

- make arrangements for their safety, or the safety of a family member;
- attend court hearings;
- access police services.

Eligibility

This entitlement applies to all employees (including casuals).

Discipline under this policy:

Management of Deadly Inspiring Youth Doing Good Aboriginal & Torres Strait Islander Corporation has the responsibility of overseeing this policy. Supervisors and managers will ensure employees are compliant with all areas of this policy, including any disciplinary action resulting from non-compliance.