

Name of Policy	Personal Leave Policy	
Description of Policy	<i>This policy sets out the personal leave provisions for all staff at ACU.</i>	
<input type="checkbox"/> New Policy		<input type="checkbox"/> Revision
Description of Revision		

Human Resources Directorate

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1. Background Information

This policy has been developed in support of the provisions for personal leave for all staff at ACU.

2. Policy Statement

Personal leave is designed to enable staff to take leave needed to deal with a range of personal, health and other circumstances.

3. Policy Purpose

This policy informs staff members of her/his entitlement to Personal Leave and its application at ACU.

4. Application of Policy

4.1 Categories of Personal Leave Entitlement

- 4.1.1** Category A is comprised of continuing and fixed-term academic staff (up to and including Level E) and continuing and fixed-term general staff (up to and including HEW 9) whose conditions derive from the ACU Staff Enterprise Agreement 2005-2008 and continuing and fixed-term Senior staff members of the University.

A Category A staff member is entitled to Personal Leave on full pay at the rate of 20 working days for each completed year of service from her/his date of commencement, 15 days of which is cumulative. Staff will be credited with 20 days Personal Leave on commencement. On commencement of her/his employment a staff member appointed for a fixed-term of less than 52 weeks will be credited with the pro-rata amount of Personal Leave that would accrue during the period of her/his fixed-term appointment.

The first 5 days of Personal Leave authorised during any year of service will be drawn from the staff member's non-cumulative accruals for that year of service.

- 4.1.2** Category B is comprised of those staff whose conditions of employment derive from the Australian Fair Pay and Conditions Standard (the Standard). This includes but is not limited to Teachers in Centres (that is, staff employed under the ELICOS Award).

A Category B staff member is entitled to accrue Personal Leave on full pay for each completed 4 week period of continuous service at the rate of 1/26 of the number of nominal hours worked by the staff member during that 4 week period. A full-time staff member will normally accrue up to 10 days paid Personal Leave per 12 months of continuous service.

- 4.1.3** Category C is comprised of those staff whose employment conditions derive from an Australian Workplace Agreement (AWA).

Staff whose employment conditions derive from an AWA are entitled to Personal Leave as follows:

Academic Staff – Continuing and Fixed-Term – as per Category A

General Staff – Continuing and Fixed-Term – as per Category A

Senior Staff – as per Category A

Staff employed in Centres – Continuing and Fixed-Term – as per Category B

Casual Academic Staff – 2 days Unpaid Carer's Leave only - as per Category D

Casual General Staff – up to 2 days Unpaid Carer's Leave only - as per Category D

Casual Teachers in Centres – up to 2 days Unpaid Carer's Leave only - as per Category D

4.1.4 Category D is comprised of all Casual Staff.

A casual staff member is entitled to a period of up to 2 days Unpaid Carer's Leave for each permissible occasion when a member of the staff member's immediate family or household requires care or support during such a period because of:

- a personal illness, or injury or
- an unexpected emergency affecting the member

4.2 **Pro Rata Entitlement**

Staff engaged for a specific fraction of a full-time appointment are entitled to the amount of personal leave available on a pro-rata basis, relative to that staff member's fraction of employment.

4.3 **Reasons for Taking Personal Leave**

A Category A, B or C staff member may be granted paid Personal Leave to cover her/his absences due to the following circumstances:

- Personal illness of or injury to the staff member (sick leave);
- To provide care or support to a member of the staff member's immediate family, or a relative (as defined); or to a member of the staff member's household, who requires care or support because of a personal illness or injury or because of an unexpected emergency (this entitlement is capped at 10 days per 12 months of continuous service¹) (carer's leave);
- Medical or therapeutic appointments for a relative (up to 10 days per year)
- Appointments and commitments associated with pre- and post-natal responsibilities (up to 10 days per year);
- To deal with an emergency situation arising due to fire, flood, burglary or other unforeseen event beyond the control of the staff member (up to 5 days per year);
- Where the carer of a staff member's child is unable to look after the child (up to 5 days per year);
- Caring for a child on a pupil-free day (up to 4 days per year) Note: Personal Leave may not be used to substitute for childcare or dependent care arrangements during normal school holiday periods;
- Attendance at the staff member's own graduation, citizenship, and justice of the peace ceremony (up to 1 day for each ceremony);
- Moving house (up to 1 day per year);
- Ceremonial leave for Aboriginal and Torres Strait Islander peoples (up to 3 days per year);
- Observance of recognised religious/culturally significant days (up to 3 days per year). The staff member must advise her/his supervisor of her/his anticipated absence at the beginning of each calendar year.

¹ Section 249 of the Act states: "*The employee is not entitled to take paid carer's leave ... at the time if, during the period of 12 months ending at the time, the employee has already taken a total amount of paid carer's leave ... of 1/26 of the nominal hours worked by the employee ... during that period.*"

4.4 Other Forms of Leave

4.4.1 Other Forms of Paid Leave and Leave Without Pay

Where all Personal Leave entitlements have been exhausted, staff may apply for available accrued Annual Leave or Long Service Leave, or may apply for Leave Without Pay for personal reasons. The responsibility for a request to use available Annual or Long Service Leave rests with the individual staff member. If no such request is received, the staff member shall be placed on Leave Without Pay following the expiration of Personal Leave credits.

4.4.2 Unpaid Carer's Leave

Where all Personal Leave entitlements have been exhausted, a staff member may apply for Unpaid Carer's Leave of up to 2 days for each permissible occasion when a member of the staff member's immediate family or household requires care or support during such a period because of:

- a personal illness, or injury, or;
- an unexpected emergency affecting the member

4.4.3 Extraordinary Leave

Where a staff member has exhausted all paid leave entitlements, and because of extraordinary circumstances, requires further paid leave, the University may grant such further paid Extraordinary Leave as the University decides is warranted. For more information, please read the Interim Policy on Extraordinary Leave.

4.5 Long Term Illness, Injury or Medical Condition

In the event of a long-term personal illness, injury or medical condition of a staff member and subject to the provision of a medical certificate to support such long term absences, a staff member may elect to convert the period of the absence to half pay. In such circumstances, the staff member will be regarded as a part-time staff member for the purposes of leave accruals and superannuation contributions. Where a staff member undertakes half pay Personal Leave, her/his normal superannuation contribution will reduce to 50 percent, with the University's contribution being equivalently adjusted. Alternatively, the staff member may elect, in writing, to maintain and pay her/his full contribution and top-up the University contribution from 50 percent to the full level of its normal contributions.

4.6 Medical Assessment

Where a staff member has exhausted her/his Personal (Sick) Leave entitlement, and/or the staff member has been absent either for an extended period of time or is absent on a regular basis on Personal (Sick) Leave, the University may require the staff member to attend an independent medical assessment to ascertain the staff member's capacity to perform the duties of her/his position. The University will choose the medical practitioner to conduct the medical examination at the expense of the University. The University will give the staff member written notice of not less than 4 weeks, except in exceptional circumstances, that a medical assessment is required.

5. Approval

An application for Personal Leave must be submitted for approval by the appropriate delegated officer. Information on delegated officers for leave approvals is located in the University Staff Delegations Register which is published on the Human Resources website.

6. Procedures

6.1 Notification of Absence to Supervisor

A staff member who is absent from work due to personal illness or injury or due to her/him being required to care or support a member of her/his immediate family or household, or for any other type of Personal Leave will normally make contact with her/his nominated supervisor at the earliest opportunity to advise the supervisor of her/his absence from work. If a staff member fails to make contact, the supervisor will make arrangements to contact the staff member as set out in the Policy for Abandonment of Employment.

6.2 Requirement for a Medical Certificate

6.2.1 Personal (Sick) Leave

All staff are required to promptly complete and submit a leave application in respect of any absence on Personal (Sick) Leave. A staff member who is absent on a period of leave due to personal illness or injury for 3 or more consecutive working days is required to provide proof of illness or injury to the University in the form of a certificate signed by a registered health practitioner. A registered health practitioner means a health practitioner such as a doctor, who is registered or licensed as a health practitioner under a law of a State or Territory.

If it is not reasonably practical for the staff member to provide a medical certificate, a statutory declaration by the staff member must be provided

6.2.2 Carer's Leave

All staff (other than casual staff) are required to promptly complete and submit a leave application in respect of any absence on Personal (Carer's) Leave. A staff member who is absent on a period of leave due to them being required to provide care or support to a member of her/his immediate family, a relative, or a member of her/his household for 3 or more consecutive working days, is required to provide proof of the illness or injury to the University in the form of a certificate signed by a registered health practitioner. A registered health practitioner means a health practitioner such as a doctor, who is registered or licensed as a health practitioner under a law of a State or Territory.

If it is not reasonably practical for the staff member to provide a medical certificate, a statutory declaration by the staff member must be provided

6.3 Submitting Documentation

A staff member must submit her/his application for Personal Leave using the Staff Connect facility, indicating the type of Personal Leave required. Where, for example, a staff member is on a period of personal sick leave for 3 or more consecutive working days, supporting documentation such as a doctor's certificate must be sent to the nominated supervisor. If the nominated supervisor is not sure whether the medical certificate has been signed by a registered health practitioner, the supervisor should ask the staff member to provide information as to whether or not her/his health practitioner is registered. The nominated supervisor is required to forward the documentation to the Human Resources office at Mount Saint Mary Campus.

7. Policy Review

The University may make changes to this policy and procedures from time to time to assist statutory compliance and or to improve the effectiveness of its operation. In this regard, any staff member who wishes to make any comments about this Policy may forward her/his suggestions to the Director, Human Resources.

8. Further Assistance

Any staff member who requires assistance in understanding this Policy should first consult her/his nominated supervisor who is responsible for the implementation and operation of leave arrangements in her/his work area. Should further advice be needed, she/he should contact the Human Resources Consultant responsible for her/his campus.