Leave Policy (MPF1135)

RELEVANT LEGISLATION

- Accident Compensation Act 1985 (Vic)
- Equal Opportunity Act 2010 (Vic)
- Fair Work Act 2009 (Cth)
- Juries Act 2000 (Vic)
- Long Service Leave Act 1992 (Vic)
- Occupational Health and Safety Act 2004 (Vic)

SCOPE

This policy applies to all fixed term, continuing and casual staff.

POLICY

1. General

1.1. Leave, paid and unpaid, may be granted to staff at the University in accordance with the University of Melbourne Collective Agreement 2010 and under the relevant procedures.

1.2. A staff member on leave (including leave without salary) remains employed by the University.

1.3. Casual staff members are not entitled to paid leave, except as provided by law and set out in the relevant procedures for:

- long service leave
- parental leave and
- special leave - jury service leave.

1.4. The University maintains records of all leave taken by staff, in accordance with the law.

1.5. All leave will be calculated on a pro-rata basis for part time employees.

1.6. Annual, sick and long service leave entitlements are:

- annual – 20 days per annum
- sick – 15 days per annum
- long service – 13 weeks after 10 years continuous service

1.7. A fixed term staff member may have breaks between fixed term appointments up to two times per year and of up to six weeks in duration which shall not constitute any break in their continuous service. A break between fixed term contracts, where the second or subsequent fixed term contract is for the same position, will not constitute a break in service if that break covers the summer period between main semesters. The lengths of and breaks between fixed term contracts must not be structured to avoid obligations with regard to severance payments. Periods of approved unpaid leave shall not count for service, but shall not constitute a break in service for the purpose of this section.

2. University holidays
2.1. Staff (other than casual staff) will be paid for the University holidays set out in the University of Melbourne Collective Agreement 2010.

2.2. Where a University holiday falls during a period of approved annual, sick or long service leave, the day will be treated as a University holiday and will not be deducted from the period of leave.

2.3. Staff who are away from duty without reasonable cause on the working day before and/or after a University holiday will not be entitled to be paid for the holiday.

3. Annual leave

3.1. Annual leave entitlements will be paid by the University to staff in accordance with the University of Melbourne Collective Agreement 2010 and the Annual Leave Procedure.

3.2. An annual leave loading is applied by the University to the ordinary salary for all staff in accordance with the University of Melbourne Collective Agreement 2010.

3.3. The maximum annual leave balance permitted is 40 days (or proportionate accrual for part-time staff) and staff must reduce excessive leave balances by 31 January each year.

4. Family (carer’s) leave

4.1. Family (carer’s) leave entitlements will be paid by the University to eligible staff in accordance with the University of Melbourne Collective Agreement 2010 and the Family (Carer’s) Leave Procedure.

4.2. Staff who have not yet accrued or who have exhausted family leave entitlements may access accrued sick leave entitlements for caring purposes, or apply for unpaid leave, in accordance with the University of Melbourne Collective Agreement 2010 and the Sick Leave, Special Leave or Family (Carer’s) Leave Procedure.

4.3. Casual staff are not entitled to paid family leave but may apply for unpaid leave under the Family (Carer’s) Leave Procedure.

5. Infectious disease and quarantine leave

5.1. The University provides child care staff access to periods of paid leave for infectious diseases in accordance with the Infectious Disease and Quarantine Leave Procedure.

5.2. The University provides staff with paid special leave for a quarantine period, subject to the provision of a medical certificate, if they have come in contact with a person suffering from an infectious disease.

6. Leave without salary

6.1. Leave without salary (LWOS) is granted at the discretion of the University and must be taken at times convenient to the University and in accordance with the leave procedures.

6.2. Periods of leave without salary do not count towards the accrual of long service leave, annual leave or sick leave entitlements.

6.3. A University holiday that falls within a period of leave without salary will be counted as part of the staff member’s leave without salary.
6.4. Staff will not be entitled to access sick leave while on leave without salary. Access to any paid leave entitlements for annual or long service leave will only be approved under special circumstances by the head of department.

7. **Long service leave**

7.1. Long service leave (LSL) entitlements will be paid by the University to staff in accordance with the University of Melbourne Collective Agreement 2010 and the Long Service Leave Procedure.

7.2. Staff members may cash out part of any accrued long service leave entitlement, provided that the staff member also takes an amount of paid long service leave equal to or greater than the amount cashed out.

7.3. The maximum LSL balance permitted is 19.5 weeks and staff must reduce excess LSL by 30 June each year.

7.4. From 15 June 2010, service as a casual staff member will count for long service leave in accordance with the Long Service Leave Act 1992 (Vic) and the University of Melbourne Collective Agreement 2010 where there has been:

- continuous service with the University; and
- no more than a three month absence between two periods of employment, or if there is an absence of greater than three months, the absence was due to the seasonal nature of the staff member’s engagement with the University.

8. **Parental, maternity parental, adoption and permanent carer leave**

8.1. Parental leave entitlements including a return to work bonus will be provided by the University to eligible staff in accordance with the University of Melbourne Collective Agreement 2010 and the Parental Leave Procedure.

8.2. Casual staff are not entitled to paid parental leave but long-term casual staff may apply for unpaid leave under the Special Leave Procedure.

8.3. Special conditions apply where both parents are University staff members.

8.4. No entitlement to parental leave or payment for parental leave remains for any period after which employment ceases.

8.5. If the University makes a decision that is likely to have significant impact on status, pay or location of a staff member’s substantive position, while the staff member is on parental leave, the University will ensure that the staff member if kept informed by their supervisor.

9. **Sick leave**

9.1. Sick leave entitlements will be paid by the University to staff in accordance with the University of Melbourne Collective Agreement 2010 and the Sick Leave Procedure.

9.2. A staff member's anniversary of appointment is the basis point for accrual of sick leave.

9.3. A staff member seeking approval for sick leave will submit a medical certificate, statutory declaration or other supporting evidence of illness:
• for absences greater than one day
• where the staff member has exceeded three single days sick leave in any one year from the date of the staff member’s anniversary of appointment.

9.4. A staff member seeking approval for sick leave may be required to submit a medical certificate, statutory declaration or other supporting evidence of illness:

• for a single day of sick leave on a Monday or Friday, immediately before or after a public holiday, rostered day off or a flex day
• if the supervisor considers that the staff member is taking a series of single day’s sick leave to a pattern or on a regular or frequent basis.

9.5. The recording of academic sick leave commenced in 2006. For any period of employment prior to the commencement of the record-keeping in 2006, academic staff who have continuous service are deemed to have:

• accrued sick leave on the basis of 15 days per year of service (or pro rata) and
• taken sick leave at the rate of 5 days per annum for full-time staff or pro rata for part time.

10. Special leave

10.1. The University allows for special leave as set out in the Special Leave Procedure and will be provided by the University to staff in accordance with the University of Melbourne Collective Agreement 2010.

11. Reduced working weeks scheme

11.1. Under the reduced working weeks scheme, a staff member may apply to reduce his or her working year by multiples of two weeks up to eight weeks, with salary proportionately reduced to fund the increase in additional paid leave over a 52 week period, as shown in Table 1. The application process is set out in the Reduced Working Week Leave Scheme Procedure.

Table 1: Reduced Weeks Working Scheme Arrangements

<table>
<thead>
<tr>
<th>Annual leave</th>
<th>Additional weeks of leave</th>
<th>Total absence in weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>44 week year</td>
<td>4 weeks</td>
<td>8 weeks</td>
</tr>
<tr>
<td>46 week year</td>
<td>4 weeks</td>
<td>6 weeks</td>
</tr>
<tr>
<td>48 week year</td>
<td>4 weeks</td>
<td>4 weeks</td>
</tr>
<tr>
<td>50 week year</td>
<td>4 weeks</td>
<td>2 weeks</td>
</tr>
</tbody>
</table>

RELATED DOCUMENTS

• Annual Leave Procedure
• Family (Carer’s) Leave Procedure
• Human Resources website
• Infectious Disease and Quarantine Leave Procedure
• Leave without Salary Procedure
• Long Service Leave Procedure
• Parental Leave Procedure
• Reduced Working Week Leave Scheme Procedure
• Sick Leave Procedure
• Special Leave Procedure
• University of Melbourne Collective Agreement 2010
RESPONSIBLE OFFICER

The Executive Director, Human Resources is responsible for the development, compliance monitoring and review of this policy and any related guidelines.

IMPLEMENTATION OFFICER

The Director, Specialist Services, Human Resources is responsible for the promulgation and implementation of this policy in accordance with the scope outlined above. Enquiries about interpretation of this policy should be directed to the implementation officer.

REVIEW

This policy is to be reviewed by 30 June 2015.

VERSION HISTORY

<table>
<thead>
<tr>
<th>Version</th>
<th>Approved By</th>
<th>Approval Date</th>
<th>Effective Date</th>
<th>Sections Modified</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Senior Vice-Principal</td>
<td>27 July 2012</td>
<td>27 July 2012</td>
<td>New version arising from the Policy Simplification Project. Loaded into MPL as Version 1.</td>
</tr>
<tr>
<td>2</td>
<td>Senior Vice-Principal</td>
<td>28 March 2013</td>
<td>28 March 2013</td>
<td>Update to section 7.3.</td>
</tr>
<tr>
<td>3</td>
<td>Vice-Principal Administration &amp; Finance</td>
<td>21 May 2015</td>
<td>4 Jan 2016</td>
<td>Fix broken links throughout document.</td>
</tr>
</tbody>
</table>