

HR17. Annual Leave and Long Service Leave Policy

Policy Objective

To provide guidelines for the requesting of leave.

Policy Statement

1. Annual Leave

The annual leave entitlement of Council employees is accrued in accordance with Local Government Industry Award 2010, Part 6, and Section 25.

An employee is entitled to a maximum of 4 weeks of paid annual leave accrues progressively during a year of service according to the employee's ordinary hours of work.

Employees with accrued annual leave in excess of 8 weeks are required to develop, in conjunction with their Manager, a schedule of leave to reduce their accrual below the maximum of 8 weeks.

Managers will be responsible for ensuring that employees within their management area adhere to the Annual Leave guidelines of this policy.

Any excess accumulated annual leave will be paid at normal hourly rate with the last pay run of the financial year.

Application for Annual Leave

- Annual leave applications must be submitted on the appropriate form at least 2 weeks prior to the commencement of such leave with the exception of leave requested during December and January which must be submitted on the appropriate form at least 3 months prior to the commencement of such leave. Managers may require longer notice of leave for December and January.
- Employees are responsible for ensuring that they only apply for leave for which they will have appropriate accruals.
- Employees are advised that travel arrangements should not be made prior to leave approval. The organisation is not responsible for any loss incurred by the booking and/or payment of travel prior to the approval of related leave.

Cashing out of Annual Leave

Shire Employees wishing to "cash out" a portion of their accrued annual leave must do so in writing to the Chief Executive Officer. If agreed to, a "Deed of Agreement" as given in "Schedule I" of Local Government Industry Award 2010 will be drawn up and signed by the employee and the Shire. The following conditions apply to all employees:-

- The employee must have taken 2 weeks Annual Leave or break from his/her position in the 12 months preceding the application.
- The employee must have at least 10 Annual Leave days accrued after cashing out.

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Annual Leave Loading

The most recent Local Government Industry Award 2010 section 24 will be referred to for the payment annual leave loading.

Annual leave loading on any unused annual leave must be paid off upon termination of employment.

2. Long Service Leave

The Long Service Leave entitlement of Shire employees is accrued in accordance with Clause 6 of the Local Government (Long Service Leave) Regulations.

An employee is entitled to 13 weeks long service leave in respect of each 10 years' continuous service that he/she completes.

Employees who are to become entitled to Long Service Leave will be advised of this in writing 90 days before the entitlement falls due.

Employees are encouraged to take Long Service Leave within 18 months of the entitlement falling due, unless otherwise approved by the CEO.

In accordance with Section 7 of the Local Government (Long Service Leave) Regulations:-

- (1) Where a worker is entitled to long service leave –
 - (a) at least two months' notice of the date from which the leave is to be taken shall be given by one party to the other unless otherwise agreed in writing between the parties;
 - (b) the employer shall not require the worker to commence leave within six months of the date on which the worker became entitled to it;
 - (c) the leave taken shall be inclusive of any public holidays allowable under the workers conditions of employment but shall not be inclusive of any annual leave;
 - (d) the leave may be granted and taken in one consecutive period or, if the worker and employer so agree, in not more than three separate periods.

- (2) Subject to sub regulation (1) Long Service Leave shall be taken at the earliest practicable date.

In accordance with Section 8 (2) of the Local Government (Long Service Leave) Regulations:-

Where the commencement of Long Service Leave under regulation 6 has been postponed to meet the convenience of the worker beyond a period of six months mentioned in paragraph (b) of sub regulation (1) of regulation 7 the rate of payment for or in lieu of that leave shall be the rate applicable to him for ordinary time (excluding the allowances) at the end of that period of 6 months unless otherwise agreed in writing between the employer and the worker.

Employees with Long Service Leave Entitlements greater than 13 weeks are required to develop, in conjunction with their Manager a schedule of Long Service Leave to remove their entitlement by 30 June the following year.

Managers will be responsible for ensuring that employees within their Section adhere to the Long Service Leave Guidelines of this policy.

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Application for Long Service Leave

- Long Service Leave may be taken in one consecutive period or, if the worker and employer so agree, in not more than three separate periods.
- Employees are encouraged to take Long Service Leave within 18 months of the entitlement falling due.
- Long Service Leave applications must be submitted on the appropriate form at least 2 months prior to the commencement of such leave.
- Where the period of long service leave includes December or January at least 4 months' notice is requested.
- Employees are advised that travel arrangements should not be made prior to leave approval. The organisation is not responsible for any loss incurred by the booking and/or payment of travel prior to the approval of related leave.
- Long Service Leave requests must be considered in line with operational requirements of the Shire.

Payment In Lieu of Leave

Payments will be made in accordance with the section 8 of the Local Government (Long Service Leave) Regulations.

Note: Conditions stipulated in specific employment contracts may supersede this policy.

Policy Reviewed October 2020