

LEAVE PROCEDURE

CONTENTS

1	PURPOSE.....	1
2	SCOPE.....	1
3	PROCEDURE	1
	Application for leave.....	1
	Annual leave	2
	Sick leave.....	2
	Long service leave	2
	Engaged services leave.....	5
	Defence forces reserve leave	5
	Natural disaster leave	6
4	RESPONSIBILITIES	7
	Compliance, monitoring and review.....	7
	Reporting.....	7
	Records management.....	7
5	DEFINITIONS	7
	Terms and definitions.....	7
6	RELATED LEGISLATION AND DOCUMENTS	7
7	FEEDBACK.....	7
8	APPROVAL AND REVIEW DETAILS.....	8

1 PURPOSE

- 1.1 This procedure outlines how CQUniversity will manage and administer employee leave conditions and entitlements.
- 1.2 This procedure must be read in conjunction with the [Central Queensland University Enterprise Agreement 2017](#).

2 SCOPE

- 2.1 This procedure applies to CQUniversity employees, excluding casuals, except as specified.
- 2.2 Casual employees may be eligible for paid long service leave and unpaid leave for sick, carers', bereavement/compassionate and jury service.

3 PROCEDURE

Application for leave

- 3.1 Employees must obtain authorisation to take leave, by creating an absence in the 'Time Off' section in the University's Human Resource System, [EMPower](#). Applications must be submitted electronically and authorised by the supervisor via EMPower. If leave is unable to be applied for online, supervisor approval must be forwarded to the People and Culture Directorate via pac@cqu.edu.au.
- 3.2 Supervisors will ensure that employees have the opportunity to take leave at a mutually convenient time which meets the needs of employees, where reasonably possible, and the operational requirements of the University. Applications for leave will not be unreasonably refused.

Annual leave

- 3.3 If an academic or vocational education and training (VET) educator seeks to take leave within the term's teaching period, the supervisor may approve such leave if adequate arrangements to cover the employee's teaching can be made by the supervisor.
- 3.4 Employees should provide at least two weeks' notice of their request to access annual leave.
- 3.5 The University may direct an employee to take annual leave if the employee has accrued more than eight weeks annual leave. The University will require that the employee take one quarter of the amount of annual leave credited to him/her at the time that the direction to take leave is given.
- 3.6 Employees may only be approved to take leave which they have accrued.
- 3.7 Annual leave may be granted on a fractional basis (e.g. at half-pay) at the discretion of the head of the organisational area. Requests will not be unreasonably refused. Where leave being taken on a fractional basis is approved, the following provisions apply:
- leave will continue to accrue at the employee's usual rate (e.g. leave will accrue at the same fraction prior to going on leave at half-pay)
 - the taking of leave will not alter the anniversary date for increments, and
 - leave will be debited on a full-time equivalent basis (for example, half-pay for a period of eight weeks will attract a debit of four weeks from full-pay credits).
- 3.8 Where an employee has exhausted their sick leave, applications for annual leave will not be unreasonably refused. Employees will not be required to utilise annual leave for sick leave.
- 3.9 Employees who become ill for more than three days during annual leave may claim sick leave (to the extent of sick leave accrued) on full pay by providing acceptable documentation as per the sick leave provision below.

Sick leave

- 3.10 An employee intending to access sick leave is required to notify their supervisor as soon as possible, preferably by phone, of:
- an illness that will cause them to be absent from work, and
 - the approximate period for which they will be absent.
- 3.11 Where an employee becomes ill before the start of annual or long service leave, and their illness continues into that leave, the employee may be granted sick leave on full pay for the period of the illness instead of the leave which had already been approved provided:
- the employee submits an application supported by acceptable documentation, and
 - the period of the illness is more than three working days.
- 3.12 Paid sick leave is not available to an employee on unpaid parental leave.
- 3.13 Requests for sick leave in advance of entitlement should be submitted to the People and Culture Directorate via pac@cqu.edu.au with all relevant details including a copy of the medical certificate or statutory declaration if applicable.

Long service leave

Transfer of long service leave entitlements

- 3.14 Long service leave entitlements may be transferred for new appointees, excluding casuals and employees whose salaries are paid from external funds which make no provision for long service leave, e.g. grants from bodies such as the Australian Research Council and National Health and Medical Research Council.

- 3.15 Long service leave entitlements will include prior continuous service with any recognised Australian University, provided that:
- there is not more than three months break between the cessation of employment with a releasing university and the commencement of employment with CQUniversity
 - continuity will be deemed not to have been broken, but the period between cessation and commencement will not be considered in determining length of service for long service leave purposes
 - any period of long service leave taken or paid while employed by a previous university will not be recognised, other than for a qualifying period in determining the rate of long service leave accrual, or
 - the employee serves at least three years of continuous service before being permitted to take long service leave, unless approved by the relevant [Senior Executive](#).
- 3.16 The University will not accept transfers of monetary benefit for long service leave. Whilst served time can be utilised for when employees can access their benefit, accruals will only be from when the employee commenced with the University.

Accrual

- 3.17 Employees may access their accrued long service leave after they have served the minimum period of 10 years continuous service.
- 3.18 Casual academic/sessional and professional employees are entitled to long service leave after 10 years of continuous service completed with the University on or after 23 June 1990. The long service leave entitlement for casual/sessional employees is calculated as follows:

Academic/sessional employees	Actual Units x 0.025 x average hourly rate
Professional employees	Total Hours x 0.025 x average hourly rate

For sessional/academic employees “Actual Units” means the total hours paid.

- 3.19 The maximum period of long service leave which may be granted at any one time will normally not exceed 26 weeks (calculated as 942.5 hours for a full-time employee).

Long service leave on half-pay

- 3.20 The head of the organisational area, with support from the supervisor, may grant approval for periods of extended long serve leave. A recommendation for extended long service leave will include details of how the organisational area will continue to operate effectively and within budget.
- 3.21 Requests will not be unreasonably refused. Where leave on half-pay is approved the following provisions apply:
- leave will continue to accrue at the employee’s usual rate
 - leave will count towards service for increments at the employee’s usual rate
 - leave will be debited based on the number of hours paid for the duration of the leave request, and
 - leave must be for a period of at least four weeks and no more than 52 weeks in duration.

Deferral of long service leave

- 3.22 The University may defer any period of approved long service leave in special circumstances or emergencies. In this case, the University must:
- give details of the circumstances to the employee, and
 - reimburse the employee for any expenses reasonably incurred as a result of the deferral.
- 3.23 The period of deferral will not exceed three months unless mutually agreed between the University and the employee.

Illness during a period of long service leave

- 3.24 An employee who becomes ill during a period of long service leave may claim sick leave instead of long service leave providing the period of the illness is greater than three working days. A medical certificate must be submitted covering the period of illness.

Payment in lieu of taking long service leave

- 3.25 Payment instead of taking long service leave may only be made to eligible employees in accordance with the [Industrial Relations Act 2016](#) (Qld).

Payment of long service on cessation of employment

- 3.26 An employee who has had at least 10 years' service and who, at the date of ceasing to be an employee, has an entitlement to long service leave, will receive a payment in lieu of unused long service leave.
- 3.27 If an employee terminates before 10 years of service they may be entitled to a proportionate payment for service in accordance with the *Industrial Relations Act 2016*. An employee who has completed at least seven years continuous service will be entitled to a proportionate payment for long service leave on the termination of the employee's service or if the employee's service is terminated before the employee has completed 10 years continuous service, the employee is entitled to a proportionate payment only if:
- the employee's service is terminated because of the employee's death
 - the employee terminates the service because of:
 - the employee's illness or incapacity
 - a domestic or other pressing necessity
 - the termination is because the employer:
 - dismisses the employee for a reason other than the employee's conduct, capacity or performance
 - unfairly dismisses the employee, or
 - the termination is because of the passing of time, and
 - the employee had a reasonable expectation that the employment with the employer would continue until the employee had completed at least 10 years continuous service, and
 - the employee was prepared to continue the employment with the employer.
- 3.28 Long service leave payable as a lump sum as at the date of termination of employment will be payable at the rate the employee is receiving at the time of termination.

Direction to take long service leave

- 3.29 Where an employee has accumulated a long service leave entitlement in excess of 4.5 months pro-rata (equivalent to 100 days for full-time employees), the Director People and Culture may give the employee written notice to take up to three months of such leave, at a time convenient to the needs of the University.
- 3.30 However, an employee who exercises the right not to take long service leave because the employee is within 24 months of their intended date of retirement, must lodge a letter of intent to retire to the head of the organisational area and Director People and Culture. The letter of intent will include the date of intended retirement.
- 3.31 Should the employee subsequently revise the intended date of retirement to a later date, the employee will be deemed to have made application to commence three months of long service leave effective on the original date of intended retirement, or such date as determined by the Director People and Culture in consultation with the relevant head of the organisational area, but not earlier than 12 months from the original notification to take long service leave.

Engaged services leave

- 3.32 Leave to undertake volunteer work within the community may be granted to an employee providing that the volunteer work:
- can be clearly identified as an employee using his or her skills, expertise or time to make a positive contribution to the public good through giving back to the community
 - is free of conflict with the obligations of the employee's paid role and supports the core business of the University
 - is undertaken with an external committee, board, professional association, community based organisation, charity or other not-for-profit entity, as approved by the supervisor
 - is unpaid
 - occurs at a mutually convenient time that meets the operational requirements of the University, and the employee's organisational unit, and
 - is in accordance with the [National Standards](#), as developed by Volunteering Australia.
- 3.33 Applications for engaged service leave must be submitted via EMPower and authorised by the employee's supervisor prior to such leave taking place.

Defence forces reserve leave

- 3.34 Defence forces reserve leave is applicable to fixed-term and continuing employees. It does not apply to casual employees or unpaid adjunct or honorary appointees. Where an employee is employed on a part-time basis, the employee will receive paid leave on a pro-rata basis.
- 3.35 In the first year of Defence Forces Reserve Service, eligible employees may apply for Australian Defence Force (ADF) reserve service leave at full pay for 30 working days per calendar year to cover initial recruit and trade training. In any subsequent year, eligible employees may apply for defence force reserve service leave at full pay for 20 working days per calendar year.
- 3.36 Defence forces reserve leave is based on a calendar year and is in addition to any other accrued leave.
- 3.37 Defence forces reserve leave on full pay is cumulative for two calendar years.
- 3.38 Recognising the diversity of the Defence Forces Reserve Service, defence forces reserve service leave may be used to cover a range of Defence Forces Reserve Service activities including, but not restricted to:
- recruitment and/or initial employment training courses
 - training exercises
 - a special school, class or course of instruction
 - operational service, or
 - continuous full-time service with the Defence Force.
- 3.39 Additional paid leave may be granted where the University is eligible to receive payment under the ADF Employer Support Payment Scheme (ESPS) and where the employee is not replaced for the duration of their absence. Under the Scheme, paid leave will be granted until the completion of the period of service under which the payment is made, or to a maximum of 78 weeks, whichever is sooner, provided that:
- the reservist has completed a qualifying period of 14 days of defence service per year, taken as a single period or as multiple periods of at least five consecutive days each, and
 - the reservist undertakes defence service in periods of at least five consecutive days.
- 3.40 Any further requirement for absence from duty for voluntary Defence Forces Reserve Service will be conducted as approved leave without pay.
- 3.41 Depending on the nature of Defence Forces Reserve Service undertaken, eligible employees may additionally or alternatively access leave under [Natural Disaster Leave](#).

- 3.42 The University will consider approved defence force reserve leave (up to a maximum of 12 months) and leave without pay for Defence Forces Reserve Service as continuous service for the purpose of leave accrual, superannuation, and other approved remuneration package benefits.
- 3.43 Applications for defence forces reserve leave should be made at least four weeks prior to the commencement of such leave. Shorter periods of notice may be accepted depending on the nature of the Defence Forces Reserve Service.
- 3.44 To apply for defence for reserve leave:
- Employees must notify their supervisor and the People and Culture Directorate of their Defence Force Reserve status.
 - At the start of each working year, employees must inform their supervisor of any anticipated Defence Force Reserve Service commitment for the next six to 12 months, even when specific dates are unknown. Once specific dates are available, employees should notify their supervisor at the earliest practicable opportunity.
 - Evidence of requirement for the employee's attendance for Defence Force Reserve Service will be submitted with the leave application. At the conclusion of the event, the employee will submit evidence of their attendance. This evidence may be in the form of a supplementary performance review, course report, or similar, to their supervisor.
 - If requested, employees will assist People and Culture with all necessary ADF ESPS documentation.
- 3.45 The University recognises that the Defence Force Reserve Service provides valuable training and experience to its employees. Where possible, Defence Reservists employed by the University should seek to take opportunities within the University to demonstrate their skills, promote leadership, and share their knowledge and experience.
- 3.46 University Defence Force Reserve employees should seek to work constructively with their immediate workplace supervisor to minimise the impact of absence within their normal workplace. This requires due notice for absence, being considerate of workplace requirements when requesting leave, and proactive sharing of information about the Defence Force Reserve Service.

Natural disaster leave

- 3.47 Natural disaster leave is applicable to continuing and fixed term employees. It does not apply to casual employees or unpaid adjunct or honorary appointments. Where a person is employed on a part-time basis, the employee will receive paid leave on a pro-rata basis.
- 3.48 Where the Vice-Chancellor and President (or nominee) is satisfied that conditions such as floods, cyclonic disturbances, bushfires or earthquakes, prevent attendance at work or the ability to work from home, a special leave provision of up to three days per annum (non-cumulative) may be granted to those impacted employees.
- 3.49 In cases where an employee must return home before the usual cessation time due to climatic or similar circumstances to ensure their own safety; the protection of their family or property; and/or the availability of transport facilities which may be disrupted or discontinued due to weather conditions; a leave of absence may be granted on full pay. Permission to cease duty must be sought from the Vice-Chancellor and President (or nominee).
- 3.50 Registered members of the State Emergency Service and voluntary members of local firefighting units may be allowed necessary time off from University duties without the loss of salary, subject to University convenience on those occasions when required to attend emergencies.
- 3.51 Such employees may also be granted leave on full pay (at the discretion of the Vice-Chancellor and President (or nominee)) to attend training courses offered by their service organisation. It is the University's expectation that local training would usually occur outside of the normal working day.

4 RESPONSIBILITIES

Compliance, monitoring and review

- 4.1 The Director People and Culture is responsible for implementing, monitoring, reviewing and ensuring compliance with this procedure.

Reporting

- 4.2 No additional reporting is required.

Records management

- 4.3 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.
- 4.4 University records must be retained for the minimum periods specified in the relevant [Retention and Disposal Schedule](#). Before disposing of any records, approval must be sought from the Records and Privacy Team (email records@cqu.edu.au).

5 DEFINITIONS

- 5.1 Terms not defined in this document may be in the University [glossary](#).

Terms and definitions

Calendar year: 1 January to the 31 December in one year.

Employer Support Payment Scheme (ESPS): the ADF Reserves assistance payment to eligible employers to offset the costs of releasing employees for Defence service.

6 RELATED LEGISLATION AND DOCUMENTS

[Australian Defence Force Employer Support Payment Scheme](#)

[Central Queensland University Enterprise Agreement 2017](#)

[EMPower](#)

[Industrial Relations Act 1996](#) (NSW)

[Industrial Relations Act 2016](#) (Qld)

[Leave Application Form](#)

[Long Service Act 1955](#) (NSW)

[Long Service Leave Act 1958](#) (WA)

[Long Service Leave Act 1976](#) (ACT)

[Long Service Leave Act 1976](#) (Tas)

[Long Service Leave Act 1981](#) (NT)

[Long Service Leave Act 1987](#) (SA)

[Long Service Leave Act 2018](#) (Vic)

[The National Standards for Volunteer Involvement](#)

7 FEEDBACK

- 7.1 Feedback about this document can be emailed to policy@cqu.edu.au.

8 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Vice-Chancellor and President
Delegated Approval Authority	N/A
Advisory Committee	N/A
Required Consultation	Joint Consultative Committee
Administrator	Director People and Culture
Next Review Date	18/08/2024

Approval and Amendment History	Details
Original Approval Authority and Date	Vice-Chancellor and President 16/03/2018
Amendment Authority and Date	Director, People and Culture 06/09/2019; Vice-Chancellor and President 14/07/2021; Vice-Chancellor and President 18/08/2021; Vice-Chancellor and President 19/03/2022; Editorial amendment 10/01/2023.
Notes	This document consolidates and replaces the Annual Leave Procedure (12/06/2014); Defence Force Reserve Leave Procedure (12/06/2014); Engaged Service (Volunteering) Leave Procedure (18/03/2015); Long Service Leave Procedure (29/10/2014); Special Leave Procedure (TAFE Educational and TAFE Professional Staff) (29/10/2014); and Sick Leave Procedure (TAFE Education and TAFE Professional Staff) (12/06/2014).