

LEAVE PROCEDURE



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1 PURPOSE

- 1.1 This procedure specifies the action to be taken and the conditions and entitlements in relation to leave available for CQUniversity staff.
- 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 all employees within CQUniversity excluding casual staff, except as specified. Casual staff 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 Each employee is responsible for obtaining authorisation to take leave, by submitting an online "Leave Booking Request" via the Employee Self Service Online (ESSO). Applications must be submitted electronically and authorised by the supervisor. In the event the leave is unable to be applied for via ESSO, a paper based "Application for Leave Form" must be submitted.
- 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 CQUniversity. Applications for leave will not be unreasonably refused.

Annual leave

- 3.3 If an Academic or VET Educator seeks authorisation 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 same fraction that the leave is being taken
 - 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 Provided the online leave request is submitted and approved in a timely manner, annual leave will normally be paid in the fortnight/s in which the period of annual leave falls.
- 3.10 Annual leave loading will be paid to all staff in December each year with the exception of staff classified at HEW levels 1-3 who will continue to receive their leave loading at the time of taking of annual leave.
- 3.11 For annualised hours, flexible year employees and term employees, annual leave will accrue during hours worked.
- 3.12 An employee who becomes ill during a period of annual leave may claim sick leave (to the extent of sick leave accrued) instead of annual leave for the period of the illness. An employee must provide documentation in accordance with the [Central Queensland University Enterprise Agreement 2017](#).
- 3.13 The balance of annual leave accrued by employees will be paid on termination.

Sick leave

- 3.14 An employee intending to access sick leave is required to notify their supervisor as soon as possible, preferably by phone, of:
- any illness that will cause them to be absent from work, and
 - the approximate period for which they will be absent.
- 3.15 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.
- 3.16 Paid sick leave is not available to an employee on unpaid parental leave.

Long service leave

Transfer of long service leave entitlements

3.17 The transfer of long service leave entitlements:

- does not apply to staff transferring before 1 January 1991, and
- applies to full-time and part-time employees but not to employees who are employed on a casual basis, or to 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.

3.18 The University will recognise relevant prior continuous paid full-time and part-time service with universities, the Commonwealth and State Public Services and Statutory Authorities in Australia as qualifying service for the purpose of determining the long service leave entitlements, provided that if an employee has taken a period of longer service leave or has been paid in lieu of a period of long service leave, such period shall be deducted from any entitlement due; and further provided that if an employee is eligible for a period of long service leave, or for payment in lieu, immediately prior to their transfer to another institution, the employee's current institution shall grant such leave and/or make payment in lieu, prior to the transfer taking place, unless some other specific arrangement for the transfer of an entitlement has been concluded between the releasing institution and this University.

3.19 Eligibility for recognition of service with the releasing institution is dependent upon continuity of employment between the releasing higher education institution and CQUniversity.

3.20 If there are not more than three months between the cessation of employment with the releasing institution and the commencement with CQUniversity, continuity will be deemed not to have been broken but the period between cessation and commencement shall not be taken into account in determining length of service for longer service leave purposes.

3.21 The University will grant credit for the period of service certified by the releasing institution in respect of which the employee has received neither long service leave nor payment in lieu on resignation for service in that or other Commonwealth or State Public Service or Statutory Authority in Australia, as provided for herein:

- shall have discretion as to the recognition of any other service, which had been recognised by the releasing institution
- leave granted, or payment made in lieu of such leave by this University, will be in accordance with the conditions applicable for that length of service as if it were initial service with this University, and
- unless determined otherwise, the employee will be required to serve at least three years before being permitted to take long service leave; additionally, a new employee is required to satisfactorily complete at least three years with the University before any entitlement from a previous employer will be paid out by the University.

Accrual

3.22 Continuing and eligible fixed-term employees may access their accrued long service leave after a minimum of 10 years continuous service. Long-term casual employees will not be eligible until they have reached a minimum of 10 years continuous service as defined.

3.23 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

3.24 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.

- 3.25 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 on a full-time equivalent basis (e.g. half-pay for a period of eight weeks will attract a debit of four weeks from full-pay credits)
 - leave must be for a period of at least four weeks and no more than 52 weeks in duration.

Deferral of long service leave

- 3.26 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.

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

- 3.27 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 of lieu of taking long service leave

- 3.28 The option to take payment instead of taking long service leave may only be made to eligible employees in accordance with the provisions of the [Industrial Relations Act 2016](#) (Qld).

Payment of long service on cessation of employment

- 3.29 An employee who has had 10 years' service and who, at the date of ceasing to be an employee, has an entitlement to long service leave shall receive a payment in lieu of long service leave not taken except where:

According to the [Industrial Relations Act 2016](#) (Qld), an employee who has completed at least seven years continuous service is entitled to a proportionate payment for long service leave on the termination of the employee's service. However, 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:

- a) the employee's service is terminated because of the employee's death
- b) the employee terminates the service because of:
 - i. the employee's illness or incapacity
 - ii. a domestic or other pressing necessity
- c) the termination is because the employer:
 - i. dismisses the employee for a reason other than the employee's conduct, capacity or performance
 - ii. unfairly dismisses the employee, or
- d) the termination is because of the passing of time, and:
 - i. the employee had a reasonable expectation that the employment with the employer would continue until the employee had completed at least ten years continuous service, and
 - ii. the employee was prepared to continue the employment with the employer.

- 3.30 Long service leave payable as a lump sum as at the date of termination of employment shall be payable at the rate the employee is receiving at the time of termination.

Pre-retirement

- 3.31 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, will be required to 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.

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.

Direction to take long service leave

- 3.32 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.

Engaged services leave

- 3.33 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.
- 3.34 Applications for engaged service leave must be submitted electronically via ESSO and authorised by the employee's supervisor prior to such leave taking place.

Defence force reserve leave

- 3.35 Applicable to fixed-term and continuing staff. It does not apply to casual staff or unpaid adjunct or honorary appointees. Where a staff member is employed on a part-time basis, the staff member shall receive paid leave on a pro-rata basis.
- 3.36 In the first year of Defence Force 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.
- 3.37 Defence force reserve leave is based on a calendar year and is in addition to any other accrued leave.
- 3.38 Defence force reserve leave on full pay is cumulative for two calendar years.
- 3.39 Recognising the diversity of the Defence Force Reserve Service, defence force reserve service leave may be used to cover a range of Defence Force 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.
- 3.40 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 present 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.
- 3.41 Any further requirement for absence from duty for voluntary Defence Force Reserve Service will be conducted as approved leave without pay.
- 3.42 Depending on the nature of Defence Force Reserve Service undertaken, eligible employees may additionally or alternatively access leave under the [Natural Disaster Leave Procedure](#).
- 3.43 CQUniversity will consider all approved defence force reserve leave (up to a maximum of 12 months) and leave without pay for Defence Force Reserve Service as continuous service for the purpose of leave accrual, superannuation, and other approved remuneration package benefits.
- 3.44 Under normal circumstances, employees will submit a [Leave Application Form](#) to the relevant head of organisational area for approval to undertake defence force reserve service leave 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 Force Reserve Service.
- 3.45 Documentation required:
- Employees must notify their supervisor and People and Culture 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 shall be submitted with the leave application. At the conclusion of the event, the employee shall 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 are to assist People and Culture with all necessary ADF ESPS documentation.
- 3.46 CQUniversity recognises that the Defence Force Reserve Service provides valuable training and experience to its employees. Where possible, Defence Reservists employed by CQUniversity should seek to take opportunities within the University to demonstrate their skills, promote leadership, and share their knowledge and experience.
- 3.47 CQUniversity 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.

4 RESPONSIBILITIES

Compliance, monitoring and review

- 4.1 The Director, People and Culture is responsible for 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 University Sector Retention and Disposal Schedule on the [Queensland State Archives website](#).

5 DEFINITIONS

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

Terms and definitions

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

Calendar year: defined as the period from 1 January to the 31 December in one year.

6 RELATED LEGISLATION AND DOCUMENTS

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

[Central Queensland University Enterprise Agreement 2017](#)

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

[Leave Application Form](#)

[Natural Disaster Leave Procedure](#)

[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
Advisory Committee to Approval Authority	Vice-Chancellor's Advisory Committee
Administrator	Director, People and Culture
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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).