

# LEAVE WITHOUT PAY PROCEDURE



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## 1 PURPOSE

- 1.1 CQUniversity makes available leave without pay as one of a number of flexible, family friendly terms and conditions of employment for its employees. This procedure outlines how an employee can apply for leave without pay. Employees may be granted leave without pay in accordance with the provisions of this procedure.
- 1.2 Applications for all periods of leave without pay will be considered on the basis that the employee will resume duty after a period of leave without pay in their former position, or be placed in a position of not less than the salary and classification level of their former position in their organisational area.

## 2 SCOPE

- 2.1 This procedure applies to all continuing and fixed-term employees within CQUniversity.
- 2.2 This procedure applies to any form of leave without pay, including sick leave without pay, approved by the University, but does not apply to unpaid leave associated with parental leave (refer to the [Parental Leave Procedure](#)).

## 3 PROCEDURE

### Entitlement

- 3.1 Continuing employees who have been employed at CQUniversity for a period of two years or more may apply for extended leave without pay of up to 12 months (extended leave being for any period longer than four weeks).
- 3.2 Fixed-term and continuing employees who have been employed at CQUniversity for less than two years may apply for leave without pay for any period of four weeks or less.
- 3.3 Where an employee has exhausted their paid sick leave entitlements, they may apply for sick leave without pay with the period of leave being guided by medical advice.

- 3.4 Leave without pay greater than 12 months and up to two years will only be granted in exceptional circumstances.
- 3.5 Except as provided for below, an employee who applies for leave without pay will be required to exhaust all annual leave and long service leave accruals prior to the effective date of the leave without pay application:
- an employee who is seeking leave without pay in order to complete study, research or professional practice in order to improve their qualifications (as relevant to the University), or
  - an employee who has exhausted their sick leave entitlement and remains off work due to illness or injury, in which case, requests will not be unreasonably refused.

Such exemptions should be sought from the relevant head of organisational area. If supported they will be forwarded to the Director, People and Culture for approval.

## **Application**

- 3.6 Employees must submit an [Application for Leave Form](#), including an attached letter stating the reasons for leave without pay, through the appropriate channels as outlined under the Approval section of this procedure.
- 3.7 Applications for planned leave without pay will be submitted for approval at least six months prior to the date the leave is due to commence. In exceptional circumstances, a shorter period may be considered.
- 3.8 Employees wanting to access sick leave without pay must provide their supervisor with a medical certificate stating the duration of their absence if the period of leave required is more than three days.

## **Approval**

- 3.9 Applications will be considered on a case-by-case basis, taking into account operational needs of the area, reason/s for the leave application, prior periods of approved absences and the ability to replace the employee during their period of absence. Leave without pay for parental purposes is covered within the [Parental Leave Procedure](#).
- 3.10 Applications for leave without pay for periods of four weeks or less may be approved by the relevant supervisor.
- 3.11 Applications for leave without pay for periods greater than four weeks and up to 12 months will be approved by the relevant head of organisational area.
- 3.12 Applications for leave without pay greater than 12 months should have the support of both the supervisor and relevant head of organisational area before being sent to the Director, People and Culture for approval.
- 3.13 Approved applications must be forwarded to the People and Culture Directorate a minimum of two weeks prior to the date the leave without pay is scheduled to commence in order to ensure that all leave without pay is actioned by the commencement date.

## **Return to work**

- 3.14 An employee granted leave without pay will only be permitted to return to work within their organisational area earlier than their nominated date with the approval of the relevant head of organisational area. Matters that would be considered in the determination will include budgetary provisions, backfilling arrangements including fixed-term contracts that may need to run to conclusion, or other associated matters.
- 3.15 Where the absence is six months or greater, the employee is expected to provide written confirmation to their supervisor of their intention to return to work at least five weeks prior to their approved date of return.
- 3.16 Where an employee is returning to work following an extended period of sick leave without pay, their supervisor may require a medical certificate to be provided stating they are now fit to return to work.

## **Effect of leave without pay on entitlements**

- 3.17 An employee's increment date will be adjusted for periods of leave without pay greater than four weeks (except where it is for a period of unpaid parental or sick leave in which case, the increment date will be adjusted after three months).

- 3.18 Periods of leave without pay of 10 days or less will count for purposes of accruing benefits such as annual leave, sick leave and long service leave.
- 3.19 In periods of leave without pay exceeding 10 days, the total period of leave without pay will not count for the purposes of accruing benefits such as annual leave, sick leave and long service leave (except where it is for a period of unpaid parental or sick leave in which case the staff member will accrue annual, sick and long service leave for the first three months only of the period of leave without pay).
- 3.20 No salary will be payable for public holidays and Christmas closure days which occur during a period of leave without pay.
- 3.21 The University will not make superannuation contributions during a period of leave without pay. It is the employee's responsibility to seek independent financial advice regarding their superannuation before making an application for leave without pay.

### **Suspension of administrative duties**

- 3.22 During an extended period of leave without pay, an employee will suspend membership on all University Committees and relinquish all activities of an administrative nature. The employee should arrange for the Chairperson of each Committee to be notified as soon as practicable after the leave is approved.

### **Employee's responsibilities**

- 3.23 Employees must make their own arrangements for salary deductions such as medical insurance and salary sacrifice arrangements during periods of leave without pay.
- 3.24 It is also the employee's responsibility to remain informed of University activities in which they have an interest, for example, calling for applications for academic promotion.

## **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 maintain all records relevant to administering this procedure in a recognised University recordkeeping system.
- 4.4 All records relevant to this document are to be maintained on the employee's personal file.

## **5 DEFINITIONS**

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

## **6 RELATED LEGISLATION AND DOCUMENTS**

[Application for Leave Form](#) (available for employees only)

[Central Queensland University Enterprise Agreement 2017](#)

[Leave Procedure](#)

[Parental Leave Procedure](#)

## 7 FEEDBACK

7.1 University employees and students may provide feedback about this document by emailing [policy@cqu.edu.au](mailto: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
Next Review Date	4/07/2021

Approval and Amendment History	Details
Original Approval Authority and Date	Council 09/12/2002
Amendment Authority and Date	Vice-Chancellor and President 10/12/10; Vice-Chancellor and President 14/03/11; Vice-Chancellor and President 29/10/2014; Vice-Chancellor and President 4/07/2018.
Notes	