

# Leave Policy

## 1. Leave Approvals

- 1.1. RedR will apply a reasonable approach to the approval of leave applications so that the organisation remains effective.
- 1.2. Applications for leave are to be lodged with the line supervisor, using the Leave Application process with sufficient notice, particularly in relation to peak periods for leave requests such as school holidays.
- 1.3. The timing of leave is by mutual agreement between the Employee and their line supervisor.
- 1.4. RedR reserves the right to refuse leave in the case where the period of leave unreasonably impacts on operational needs and service delivery.
- 1.5. In the event approval is not granted and agreement cannot be reached on a mutually satisfactory alternative, the Employee may refer the matter to People and Culture.

## 2. Annual leave

- 2.1. The purpose of annual leave is to allow Employees to have an extended break from the daily pressures and demands of work for rest and rejuvenation.
- 2.2. Annual leave accrues progressively at a rate of 20 working days per year of continuous service, excluding casual Employees (and calculated pro-rata for part time Employees).
- 2.3. Written requests for annual leave must be submitted as follows, unless otherwise agreed by RedR and the Employee:
  - For one day or more, one week in advance;
  - For one week or more, no less than one month prior to the intended commencement of leave.
- 2.4. No more than 40 days annual leave may be accumulated. Leave balances in excess of the 40 days may result in the Employee being directed to take annual leave for a period of two weeks until the balance is within the maximum accumulation. At least one month prior to the date that commences a period of

deemed leave, the Employee's line supervisor will be notified in writing of the Employee's leave credits and the impending period of deemed leave.

2.5. Any request for variation to approved annual leave must be referred by the Employee's line supervisor to the relevant Manager. The request should include:

- Reasons the Employee is unable to take leave;
- steps being taken to plan for the team's work program; and
- steps being taken to organise an alternative time for the Employee to take leave;

2.6. Any public holidays or personal leave, which falls during the annual leave period shall extend the annual leave by the same duration. Extension of annual leave due to sickness, must be supported by a medical certificate.

### **3. Personal Leave (Sick and Carers)**

3.1. Personal leave accrues at a rate of 10 days in each year of service of continuous service from date of commencement for an Employee other than a casual Employee. A pro-rata rate applies for part time Employees.

3.2. Personal leave is not payable on cessation of employment.

3.3. An Employee is entitled to be paid personal leave when he/she is absent from work in the following circumstances

- Due to personal illness or injury (sick leave);
- To provide care or support to a member of the Employee's immediate family, or a member of the Employee's household, who requires care or support because of:
  - a personal illness or injury of the member; or
  - an unexpected emergency affecting the member; (carer's leave).
- The definition of immediate family includes the Employee's spouse, de facto partner, child, parent, grandparent, grandchild, sibling or a child, parent, grandparent, grandchild, sibling of the Employee's spouse or de facto partner. This includes same sex spouse and de facto partnerships.

- 3.4. Up to 5 single days of personal leave may be taken without a medical certificate per year. Thereafter, a medical certificate or other satisfactory evidence is required to support an Employee's application for personal leave.
- 3.5. Where an absence exceeds two consecutive days or falls the day before or after a public holiday, a medical certificate or other satisfactory evidence shall be required.
- 3.6. Where an Employee has exhausted all of his/her paid personal leave entitlements, the Employee will be entitled to 2 days of unpaid carer's leave for each permissible occasion.
- 3.7. Notice of the Employee's absence on account of personal leave must be given by the Employee directly to his/her line supervisor within one hour of the usual commencement time of employment on the day of absence.

#### **4. Compassionate Leave**

- 4.1. An Employee (other than a casual Employee) will be entitled to take 3 days paid compassionate leave on each occasion that an immediate family member or a member of the Employee's household:
  - contracts or develops a personal illness that poses a serious threat to his or her life; or
  - sustains a personal injury that poses a serious threat to his or her life; or
  - dies
- 4.2. For any other person with whom the Employee can show there is a particularly important relationship, compassionate leave can be taken with approval from the Chief Executive Officer. Additional time beyond the three days may be granted and taken as accrued annual leave, personal leave, TOIL, or leave without pay.
- 4.3. A casual Employee is entitled to 2 days of unpaid compassionate leave for each permissible occasion set out at clause 4.1.
- 4.4. The Employee must advise their direct supervisor of their need to take compassionate leave as soon as reasonably practical. If requested by RedR, the Employee must provide evidence for such leave.
- 4.5. In individual cases, RedR may, at its sole discretion, extend the period of paid compassionate leave.

- 4.6. For serious illness or funeral attendance for other relatives or close friends, time off with pay may be granted at the discretion of the Chief Executive Officer.

## **5. Jury Service and Court Appearances**

- 5.1. An Employee required to attend court for jury duty or who is subpoenaed as a witness during their working hours will continue to be paid ordinary salary (less any jury service pay) for a period of up to 10 days.
- 5.2. The Employee shall notify RedR as soon as possible of the date upon which they are required to attend for jury service or as a witness.
- 5.3. An Employee must provide evidence to substantiate attendance and the amount received in respect of such jury service in order to calculate makeup pay.

## **6. Blood Donation Leave**

- 6.1. Full time and part time Employees taking leave for off-premises blood donation shall be permitted at least one leave period per calendar year of three (3) hours duration during the Employee's regular work schedule.
- 6.2. Any additional leave time taken by Employees in connection with off-premises blood donation shall be subject to all other rules and guidelines governing leave.
- 6.3. An Employee who donates blood during non-working hours shall not be credited with leave.
- 6.4. Employees may wish to make their blood donation to Australia Red Cross Blood Service under the group name RedR Australia.

## **7. Family Based Violence Leave**

- 7.1. All Employees (including part-time and casual) are entitled to five days unpaid family and domestic violence leave each year in accordance with the Fair Work Amendment Act 2018 and under the National Employment Standards (NES).
- 7.2. The leave can be taken by Employees if they need to deal with the impact of family and domestic violence and it is not possible to do so outside their ordinary hours of work.

- 7.3. Employees may be asked to provide evidence by RedR to show leave authentication. If the evidence requested is not satisfied, RedR may reject the Employee's leave request.
- 7.4. The leave is not required to be taken all at once and can be taken as single or multiple days. (RedR and the Employee can agree for the Employee to take less than 1 day at a time or for the Employee to take more than 5 days.)
- 7.5. The 5 days renews each 12 months but does not accumulate from year to year if it is unused.
- 7.6. Unpaid family and domestic violence leave does not break an Employee's period of continuous service but is uncounted as service when calculating accumulated entitlements such as paid leave.

## **8. Office Shutdown**

- 8.1. In recognition of RedR Employees' commitment to the organisation, RedR will grant all full time and part time Employees time off with normal salary between Christmas Day and New Year's Day when the RedR office is normally closed, and will not deduct this period from the Employee's annual leave balance.
- 8.2. RedR may request certain roles to service some operations during this time. In circumstances where the Employee has been requested to work, the Employee will be awarded TOIL which must be taken in accordance to TOIL provisions.

## **9. Public Holidays**

- 9.1. All Employees other than casual Employees shall be entitled, without loss to pay, to public holidays listed.
- 9.2. Part-time Employees are eligible for payment for any public holidays which occur on their usual day of work.
- 9.3. National Public Holidays: New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, Christmas Day and Boxing Day.
- 9.4. State Public Holidays: Labour Day, Melbourne Cup Day, AFL Grand Final Eve (This date may require ratification).

- 9.5. Where the public holidays fall on a Saturday or Sunday, any substitute days will accord with the decisions of the State Government.

## 10. Leave Without Pay

- 10.1. In circumstances where Employees have exhausted their leave entitlements and require additional time off, leave without pay may be granted at the discretion of their manager.
- 10.2. Approvals for leave without pay longer than 4 weeks from work will be at the discretion of the Chief Executive Officer.
- 10.3. Requests for leave without pay for periods longer than 4 weeks must be made three months in advance except in an emergency.
- 10.4. Leave without pay will only be granted once all annual leave entitlements have been exhausted.
- 10.5. Whilst on a period of approved leave without pay Employees will not accrue any leave entitlements, other than long service leave to the extent provided by the Long Service Leave Act 2018 (Vic).

## 11. Leave of Absence

- 11.1. Any Employee wishing to explore the option of taking a period of extended absence from their role should, in the first instance, discuss this with their respective Manager in consultation with the Chief Executive Officer.
- 11.2. Any request for leave of absence of up to a maximum of 12 months will be considered on a case by case basis.
- 11.3. Approval is at RedR's sole discretion and approval in one situation will not constitute a precedent for another situation or general approval.
- 11.4. RedR's ability to provide leave of absence arrangements will be dependent on RedR's operational needs and capacity to accommodate each request. The following, although not an exhaustive list, will be taken into consideration:
- Business objectives;
  - Operational requirements;
  - Inherent requirements of the role;

- Length of absence;
- Impact on team;
- Minimum length of service (1 year);
- Reason why leave of absence is requested.

11.5. Where a leave of absence is approved, the leave without pay provision applies.

11.6. Any TOIL balances will be cleared upon commencing leave of absence.

## 12. Long Service Leave

12.1. An Employee shall be entitled to long service leave (LSL) in accordance with the Long Service Leave Act 2018 (Vic). Provisions for LSL entitlements are as follows:

12.2. An Employee will receive 13 weeks (pro rata) of LSL entitlements on ordinary full time hours for 7 years of continuous service.

12.3. Upon completing 10 years of continuous service, an Employee will accrue one week of LSL for every 60 weeks of continuous service or as per the governing legislation, Long Service Leave Act 2018 (Victoria).

12.4. Upon completing 10 years of continuous service, an Employee is entitled to a pro-rata access LSL entitlements.

12.5. LSL for part time workers will be calculated based on the percentage of ordinary hours worked.

12.6. LSL is extended by one day for each public holiday that falls within the LSL period.

12.7. Due to a change in RedR's LSL provisions effective 1 July 2010, LSL entitlement rates for any service prior to this date will be calculated at the entitlement rate of 13 weeks at seven years. Any service post the 1 July 2010 will be calculated at 9.1 weeks after seven continuous years of service. For this reason, employees with a commencement date prior to 1 July 2010 will have two rates of LSL entitlements.

12.8. An Employee can request that they be allowed to take double their amount of leave at half the ordinary rate of pay. RedR may grant an Employee's request if it is reasonable to do so having regard to the needs of both the Employee and RedR's business.

12.9. On the ending of their employment, Employees with at least 7 years of continuous service shall receive payment for the leave accruals calculated pro rata at the employee's ordinary rate of pay.

12.10. Any period of paid parental leave and up to 12 months of unpaid parental leave will count as service, and will not break continuity of employment.

### **13. Parental Leave**

13.1. Parental leave is an umbrella term to reference Maternity Leave, Paternity Leave and Adoption Leave. Parental leave is available to both parents in a relationship including de-facto and same sex couples.

### **14. Maternity leave**

14.1. Employees who have a minimum of 12 months continuous service shall be entitled to 8 weeks' paid leave taken in a single period. The remaining period of maternity leave shall be unpaid maternity leave of up to 44 weeks. Any other paid leave taken in conjunction or during this time will not extend the unpaid maternity leave.

14.2. To qualify for maternity leave, a female Employee must:

- Provide a certificate from a health professional stating the expected date of the birth;
- Give RedR at least 10 weeks prior notice of birth date; and
- Give RedR at least 4 weeks' notice of when maternity leave is to be commenced and the period involved.

14.3. Prior to the commencement of maternity leave, if it is deemed not safe (due to illness, risks or hazards) for a pregnant Employee who is entitled to parental leave to continue in her usual position, she can be transferred to a 'safe job' with no change to terms and conditions.

14.4. In circumstances where the Employee continues to work during the six week period before the expected date of birth of the child, RedR may ask the Employee to give RedR a medical certificate containing the following statements:

- a statement of whether the Employee is fit for work;
  - if the employee is fit for work—a statement of whether it is inadvisable for the Employee to continue in her present position during a stated period because of:
    - illness, or risks, arising out of the Employee’s pregnancy; or
    - hazards connected with the position.
- 14.5. The Employee will have a right to resume the position held prior to taking maternity leave. Should there be a substantial change to the role, the Employee will be notified as soon as reasonably possible.
- 14.6. Any requests to change or extend unpaid parental leave must be made in writing four weeks before the end of the agreed parental leave period. Upon returning from maternity leave, the Employee may request to a flexible work arrangements.

## **15. Paternity and Co-Parenting Leave**

- 15.1. An Employee shall be eligible for paternity/co-parenting leave for the purpose of providing primary care to their child in the first two years of the child’s life.
- 15.2. The paternity/co-parenting leave entitlement is two weeks paid leave at the time of the mother’s confinement plus up to 50 weeks of continuous unpaid leave.
- 15.3. Paternity/co-parenting leave is subject to the employee meeting the following conditions:
- A minimum of 12 months’ continuous service; and
  - Provide at least 10 weeks’ notice of the expected date of the mother’s confinement, with appropriate medical certification.

## **16. Adoption Leave**

- 16.1. Adoption leave is available to the primary care giver for the purposes of adopting a child under the age of 16 years. Adoption leave does not apply when the Employee takes custody of a child or stepchild of the Employee, or a

child who has previously lived with the Employee for a period of more than six months.

- 16.2. Paid adoption leave is available to primary care givers who have completed 12 months' continuous service. The maximum entitlement of paid adoption leave is 3 weeks, available from the date of placement. A further 49 weeks is available as unpaid adoption leave following the period of paid leave.
- 16.3. In addition to a special period of unpaid pre-adoption leave not exceeding two days will be granted to Employees to attend compulsory interviews and examinations in relation to adoption applications, where all other forms of leave have been exhausted.

## 17. Paid Parental Leave Government Scheme

- 17.1. Under the Paid Parental Leave scheme working parents can get government-funded pay when they take time off from work to care for a newborn or recently adopted child. Employees can access more information about the government Paid Parental Leave scheme and check their eligibility by contacting the Department of Human Services.
- 17.2. The Paid Parental Leave scheme provides payment types:
- 17.3. Parental Leave Pay: Financial support for up to 18 weeks at the National Minimum Wage to eligible primary carers of a new born or recently adopted child. If you have worked for RedR for 12 months or more before the expected date of birth or adoption and your employment contract covers the period of the Paid Parental Leave, RedR will administer the payments upon receipt from the relevant Government agency. It is the Employee's responsibility to initiate the Paid Parent Leave scheme. Parental Leave pay will be subject to PAYG (Pay As You Go tax withholdings) and Child Support deductions (if applicable). The Employee will not accrue additional leave or superannuation from the administration of Paid Parental Leave.
- 17.4. Dad and Partner Pay: Eligible working dads or partners (including adopting parents and same-sex couples) who are on leave to care for a child born or adopted. An eligible working dad or partner will receive up to 2 weeks of government-funded pay at the National Minimum Wage. Dad and Partner Pay

can be received at any time in the first year after the child's birth or adoption, as long as the dad or partner is not working or is on unpaid leave. Dad and Partner Pay will be administrated by the nominated Government Agency. The onus is on the Employee to initiate this benefit and discuss with RedR in taking unpaid leave.

## 18. Time Off In Lieu (TOIL)

- 18.1. RedR permits Employees to accrue reasonable TOIL for approved additional hours, including approved travel time for RedR business.
- 18.2. All TOIL will be calculated at the Employee's ordinary rate of pay.
- 18.3. The accrual and taking of TOIL must be agreed in advance with the line supervisor.
- 18.4. TOIL must be used at the earliest convenient opportunity as mutually agreed between the Employee and their line supervisor and accrued TOIL must be used before any other planned leave type can be accessed.
- 18.5. Where an Employee is away due to business travel and there is no work performed on the weekend or public holiday, no TOIL is redeemable.
- 18.6. A maximum of 10 days of TOIL can be accumulated at any given time. TOIL balances in excess of the 10 days may result in the Employee being directed to take TOIL until the balance is within the maximum accumulation.
- 18.7. The maximum accrual of TOIL is 7 hours per day.
- 18.8. Employees will not accrue TOIL for attendance at training or conferences outside ordinary work hours which meet the following criteria:
  - It does not relate to the Employee's ability to performance their substantive job
  - Attendance is voluntary
  - Would not adversely affect the Employee's performance if he or she did not attend
  - The Employee does not perform any productive work at the training or conference

## 19. Flexible Work Arrangements

- 19.1. RedR recognises the importance of balancing work, personal life and family commitments where these arrangements are compatible with the inherent requirements of the role and RedR's reasonable business objectives.
- 19.2. Under the Fair Work Act 2009 (Cth), the following Employees have a right to request flexible work arrangements:
- parents, or Employees who have responsibility for the care of a child who is of school age or younger
  - Employees who are 55 years old or older
  - Employees with a disability
  - Employees who are carers (within the meaning under the Carer Recognition Act 2010)
  - Employees who are experiencing violence from a member of the Employee's immediate family
- 19.3. Employees must have at least 12 months continuous service with RedR or be a long term casual Employee as that term is defined in the Fair Work Act 2009 in order to request flexible working arrangements.
- 19.4. Approvals for flexible working arrangements will be based on reasonable business grounds and depend on RedR's capacity to accommodate requests whilst maintaining our ability to deliver effective service. When deciding whether to approve such an arrangement RedR must take into account the factors set out in the FW Act, including the impact of the effectiveness of program delivery, program resources and the impact on the team.
- 19.5. An Employee seeking to vary their work arrangements must discuss their request with their line supervisor. The Employee should formalise the request in writing with the following details:
- Information about the nature of the change sought; and
  - the reasons why you're asking for the change.
- 19.6. Requests must be made in writing. If RedR agrees to the request, either party may terminate the arrangement by providing notice in writing. Any flexible working arrangement will be reviewed at least every 12 months.

## 20. Working From Home

- 20.1. Approval for working from home will be based upon the following criteria:
- The nature of the work is such that it can be done from home;
  - The agreed outcomes and deliverables can be done in an efficient and effective manner and the efficiency of the Employee, the Employee's team and RedR will not be adversely affected;
  - Occupational health and safety standards at home, the capacity for communication between home and the office, and the security and confidentiality of files are in accordance with relevant RedR procedures;
- 20.2. Employees working from home must be available to respond to phone calls, emails and be able to attend meetings during working hours. Employees are expected to work the same number of hours they would usually work if they were in the office.
- 20.3. Employees are responsible for checking whether working from home has any impact on any existing insurance arrangements they may have, including public liability or equipment covered by their own contents insurance, and any obligations they may have to notify their insurer that their home is to be used for work purposes.

## 21. Conference, Training and Study Leave

- 21.1. RedR is committed to Employee training and development to enable Employees to become more proficient at carrying out their present and likely future responsibilities at RedR. Training needs will be discussed during performance appraisals and decisions made on the basis of the Employee's current position and skill sets aligned with organisational needs.
- 21.2. An Employee, other than a casual Employee, may with prior approval of the line supervisor attend work-related conferences, training courses and seminars during normal working hours without loss of pay.
- 21.3. An Employee may apply for flexible work arrangements to accommodate attendance to classes. 3 days of study leave is provided to full time

Employees and scaled accordingly to part time Employees on a pro-rata basis.

- 21.4. Decisions on the timing of the training program will be made by mutual agreement between the Employee and line supervisor.

## 22. Paid Purchase Leave

- 22.1. RedR and a full time or part time Employee may agree to enter into an arrangement whereby the Employee can purchase up to four weeks additional leave pending operational needs. The operational requirements for some roles can more effectively accommodate paid purchased leave arrangements than others. RedR and Employee can agree to take a reduced salary spread over the 52 weeks of the year and receive the following amounts of additional leave:

Number of weeks salary spread over 52 weeks	Number of weeks additional leave purchased
48 weeks	4 weeks
49 weeks	3 weeks
50 weeks	2 weeks

- 22.2. Paid purchased leave cannot occur if you have more than 30 days normal leave at the time of the application for paid purchased leave.
- 22.3. The paid purchase leave scheme can only be introduced at an Employee's initiative and by the agreement of management dependent on RedR's operational needs. Employees are encouraged to provide as much notice as possible of their intention to access purchased leave.
- 22.4. Applications must be submitted to the Employee's direct manager for approval prior to forwarding it on to CEO and People and Culture for final approval and implementation.
- 22.5. Refer to the Paid Purchase Leave Policy for more information and application details.

## 23. Cashing Out Annual Leave

23.1. Cashing out annual leave can be provided under the following conditions:

- an Employee can't cash out more than 2 weeks each 12 months
- an Employee needs to have at least 4 weeks annual leave leftover
- a written agreement needs to be made each time annual leave is cashed out
- the payment for cashed out annual leave has to be the same as what the Employee would have been paid if they took the leave.
- Employees cannot cash out annual leave and be accessing Paid Purchase leave concurrently.

## 24. Document control

Reviewed by:	Director P&C
Approved by:	CEO
Review date:	1st August, 2019
Next review:	1st August, 2021
Distribution:	Internal
Version number	1.1