



# Personal Leave Guidelines

A handwritten signature in black ink, appearing to read 'Daryl Karp', is positioned above the printed name.

**Daryl Karp**

**Director**

**June 2021**

*Due for review June 2023*

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## Version control

| Version | Date          | Author/Reviewer     | Summary of changes | Status |
|---------|---------------|---------------------|--------------------|--------|
| V2.0    | 01 March 2021 | People and Strategy | Review             | Draft  |
| V2.1    | April 2021    | Staff Consultation  | Review & Comment   | Draft  |
| V2.2    | June 2021     | EMG                 | Review & Comment   | Draft  |
| V2.3    | June 2021     | Director            | Endorse/Signature  | Final  |

Team responsible for overview and updates of the policy:

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## 1. General information

Personal leave provides employees with access to leave when they are ill or injured or are required to address emergency caring or personal needs which cannot be attended to outside ordinary hours.

Part H of the *Old Parliament House Enterprise Agreement 2017-2021* (EA) contains the employee entitlements applying to personal leave.

**Note:** casual employees are not eligible for paid personal leave, however they are eligible for unpaid carers leave (Clause G31 of the EA).

This guideline outlines the process, roles and responsibilities on the use and approval of personal leave under the EA.

People and Strategy provides monthly leave-taking reposts to the Executive Management Group.

## 2. Authority / Delegation

The following have the delegation or authority:

- managers have the authority to approve personal leave, both with and without pay
- some delegations rest with the Director and Deputy Director only.

For further details, refer to the Human Resources Delegation.

## 3. Personal leave

Managers are responsible for enabling employees to utilise their personal leave entitlement and ensuring that employees are not in attendance at work when covered by a medical certificate stating they are unfit for duty.

Personal leave is available to employees to be used for purposes of illness / injury, emergency caring purposes, and for addressing personal needs which cannot be dealt with outside ordinary hours, including:

- attending to health appointments
- care of partners, dependents, extended family members or close friends, a member of the employee's household who are ill or require assistance
- when the employee is unable to organize alternative care for their child or their usual child-care arrangements are unexpectedly disrupted.

Where an employee is unable to attend work, the employee must notify their manager before 9.30 am, by email or phone.

Employees must seek and gain approval for personal leave as soon as they return to work or in cases where it is planned, prior to leave being taken (e.g. planned surgery). The request must be entered through Employee Self Service (ESS); managers will notify leave approvals via ESS.

## **Entitlements of personal leave**

Accrual of personal leave:

- Full-time employees accrue 18 days (135 hours) personal leave each year.
- Personal leave is accrued in hours and minutes and is credited monthly.
- Personal leave credits are recorded and deducted in hours and minutes.
- Part-time employees will accrue unpaid personal leave on a pro rata basis calculated on the number of part-time hours worked.
- Personal leave may be used for any period, including periods of one day or less.
- Eligible employees may choose to use flextime instead of personal leave to address personal needs.
- Personal leave may not be used for recreation leave purposes.
- Unused personal leave accumulates from year to year.
- Personal leave counts for service for all purposes up to a maximum of 78 weeks.
- Personal leave cannot be converted to salary or cashed out on cessation of employment.
- Employees may elect to take personal leave at half pay.

### **Advancement of future personal leave**

An employee who has exhausted all of their personal leave credits may request advancement of future personal leave credits. Such advancement requires approval from the Director or Deputy Director. Advancement of future personal leave credits would be granted for exceptional circumstances only.

The employee should discuss with the Director or Deputy Director the circumstances pertaining to advancement of future personal leave. The Director should carefully consider the circumstances pertaining to the employee's request. The employee must provide medical evidence or supporting documentation to the Director.

If the Director or Deputy Director approves the request for the advancement of personal leave, the approval must then be submitted to People and Strategy for processing.

### **Public holidays and personal leave**

When a public holiday occurs during, immediately before or immediately after a period of personal leave an employee will be paid for the public holiday and their personal leave entitlements will not be reduced.

Where an employee is on personal leave on half pay on both sides of a public holiday then the public holiday will also be paid at half pay.

Where a public holiday falls during a period in which an employee is on personal leave without pay, the employee will not be paid for the public holiday.

Where the rate of payment of personal leave varies on either side of a public holiday, the public holiday will be paid at the greater rate.

### **Applying for and approving personal leave**

Where an employee is unable to attend work, the employee must notify their manager before 9.30 am by email or phone. Where emergency circumstances contribute to an unplanned

absence and prior notice cannot be given, the manager should be notified of the absence as soon as possible.

Employees are required to complete a personal leave request either prior to an absence, or as soon as they return to work. Personal leave requests should be completed using the ESS system.

Where regular (e.g. pattern) or long periods of personal leave are requested the employee and manager should discuss the circumstances. The employee should provide medical evidence or supporting documentation to the manager and submit a personal leave request using the ESS system. Managers should contact People and Strategy for further information/assistance.

An employee may also be directed to take personal leave on the basis of a medical report stating that the employee is unfit for duty. For further information refer to the 'Fitness for duty and return to work guidelines'.

Employees who are on annual leave and become ill or injured during that time must provide supporting evidence to their manager if they wish to have their dates of annual leave re-credited. Employees must resubmit dates through the ESS system. Copies of supporting evidence must be sighted and signed by the employee's manager and then forwarded to People and Strategy.

## **Production of supporting evidence**

Employees may be granted personal leave with pay (providing they have sufficient credits) without providing supporting evidence for no more than three consecutive days of absence.

Should the number of days without supporting evidence exceed 10 days in any financial year, the Director may request the employee to provide evidence for further absences. The Director must inform the employee, in advance, in writing of the request for provision of supporting evidence.

Certificates from a registered health practitioner will be accepted for proof of illness or injury. Employees should upload their medical evidence or supporting documentation with the application for leave in ESS.

## **Leave without Pay (LWOP)**

If an employee takes more than 30 days of leave without pay not to count as service (LWOP NTCAS) within a financial year (which may or may not be consecutive), personal leave will not be accrued for the full period of the leave without pay.

## **Portability of personal leave**

Where an employee joins MoAD from an employer staffed under the *Public Service Act 1999*, the *Parliamentary Service Act 1999* or from the ACT Government Service, accrued sick / personal / carer's / carer's' leave credits (however described) will be transferred, provided there is no break in continuity of service. Employees joining MoAD from government agencies or authorities not stated above are not entitled to have their personal leave credits transferred.

Access to accrued personal leave credits will be in accordance with the EA and these guidelines.

Where an employee transfers to another APS agency, the portability of personal leave is subject to the receiving agency's arrangements.

Unused personal leave will not be paid out on separation from the APS or on death.

## **Supporting documentation**

Fitness for duty and return to work guidelines

[Old Parliament House Enterprise Agreement 2017-2020](#)

[Old Parliament House Instrument of Human Resources Delegation](#)

[Public Service Act 1999](#)

[Parliamentary Service Act](#)