

# C-19 Staff Leave

Epping Heights OSHC.

## NQS

QA. 4.1	Staffing arrangements.
QA. 4.1.1	Organisation of educators.
QA. 4.2	Professionalism.
QA. 4.2.1	Professional collaboration.
QA. 4.2.2	Professional standards.
QA. 5.1	Relationships between educators and children.
QA. 6.1	Supportive relationships with families.
QA. 7.1.1	Service philosophy and purpose.
QA. 7.1.3	Roles and responsibilities.
QA. 7.2	Leadership.
QA. 7.2.1	Continuous improvement.
QA. 7.2.3	Development of professionals.

## National Regulations

Reg. 156	Relationships in groups
Reg. 168	Education and care service must have policies and procedures

## My Time, Our Place

LO. 1	Children feel safe, secure, and supported
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## POLICY STATEMENT

We recognise the entitlements of our staff and appreciate the service they provide whilst at the centre. To ensure staff are fit and able to complete their role to the best of their ability, the centre is committed to ensuring they are fully aware of the procedures with regards to taking leave, and the processes Management will go through in approving this leave.

## RELATED POLICIES

- Epping Heights OSHC Policy A-15: Role of the Management Committee
- Epping Heights OSHC Policy A-17: Privacy and Confidentiality
- Epping Heights OSHC Policy C-2: Conditions of Employment
- Epping Heights OSHC Policy C-3: Staff orientation and induction

- Epping Heights Policy C-4: Staff Professionalism.
- Epping Heights Policy C-11: Staff child ratios

## **PROCEDURE**

This policy does not override the employee's rights under the National Employment Standards or Children's Services Award.

This policy applies to all staff employed by Epping Heights OSHC in relation to the taking of the following types of leave

- Personal / Carer's Leave
- Compassionate Leave
- Community Service Leave
- Long Service Leave
- Annual Leave
- Leave without Pay

## **PERSONAL CARERS LEAVE**

Paid Personal / Carer's leave applies to all Permanent staff when they are sick or injured, or when the employee needs to care for an immediate family or household member who is sick, injured or has an unexpected emergency.

The Fairwork Ombudsmen defines immediate family as an employee's:

- Spouse,
- de facto partner,
- child,
- parent,
- grandparent,
- grandchild,
- sibling, or a
- child, parent, grandparent, grandchild or sibling of the employees' spouse or de facto partner

Documentation supporting Personal / Carer's leave must be provided for two consecutive days of leave or a day on either side of a weekend, Public Holiday, or other non-working day.

Unpaid Personal / Carer's leave is available for all staff members, including casual employees in the same instances as above. Permanent employees can only use unpaid personal / carer's leave when they have used all of their paid personal / carer's leave.

## **COMPASSIONATE LEAVE**

Paid compassionate leave is available for all Permanent Employee's when an immediate family or household member sustains an injury or illness that threatens their life or dies.

Unpaid compassionate leave applies for casual employees, in the same circumstances as for paid compassionate leave

## **COMMUNITY SERVICE LEAVE**

Community Service Leave is available to all employees when they are carrying out certain community service activities such as Jury service, and other Voluntary Emergency Management Activities. This leave entitles the employee to be absent whilst they are performing these activities. This leave is unpaid with the exception of Jury Service where an employee is entitled to "Make-up Pay" to cover the difference between jury service pay received by the employee and the employee's "base rate of pay" they would otherwise be entitled to for the first 10 days of absence.

## **LONG SERVICE LEAVE**

Long Service Leave in NSW is allowed for under the NSW Long Service Leave Act 1955. This commences accruing after five years and can be payable in some circumstances should an employee resign prior to their 10-year anniversary with the same employer. More information can be found in the NSW Long Service Leave Act 1955.

## **ANNUAL LEAVE**

Annual Leave is provided for in the NES and is available to all Permanent employees at their "base rate of pay". As the centre is closed for the Christmas / New Year time frame, the centre requests that leave is taken during this time. Should an employee choose not to take the annual leave owing, or not have enough leave to cover the time of closure, this time will be automatically considered as leave without pay.

## **LEAVE WITHOUT PAY**

In certain circumstances, the employee may ask for Leave without pay. Leave without pay is required to be taken during times of close down if the employee chooses not to take their annual leave owing, or should they not have enough annual leave for the whole time of closure.

## **APPLYING FOR LEAVE**

Applications for leave must be made to the Centre Staff Liaison or President at a minimum of 4 weeks in advance for Annual Leave, Long Service Leave or Leave Without Pay. Personal / Carers Leave or Compassionate Leave must be applied for as soon as the employee is aware. Leave forms must be completed in full, with the appropriate documentation attached, prior to the leave being considered. Leave forms must be provided to Management for approval, and then forwarded to Becklyn P/L with the wage information.

## **SOURCES**

- Fair Work Act 2009
- Children's Services Award 2010
- National Employment Standards
- NSW Long Service Leave Act 1955
- Fair Work Ombudsmen factsheet "Personal Carers Leave and Compassionate Leave and the National Employment Standards"
- Fair Work Ombudsmen factsheet "Community Service Leave and the National Employment Standards"
- Fair Work Ombudsmen factsheet "Long Service Leave and the National Employment Standards"
- Fair Work Ombudsmen factsheet "Annual Leave and the National Employment Standards"

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