

POLICY

LEAVE POLICY

Human Resources Branch

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[Version control: may be removed once document is published, especially for external documents]

Document tracking

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| August 2012 | Helen Franz | Working draft created using the Policy Template, however the majority of content was contained in previous Leave Policy in a superseded format. |
| August 2012 | Gerry Linehan | Approved |
| September 2012 | CMG and CPSU | Consultation |
| October 2012 | | Uploaded onto MyNLA |
| March 2017 | Walter Stopp | Update to reflect new EA |
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1. Introduction

National Library of Australia employees have access to a range of leave entitlements, depending on their category of employment and length of service. These include:

- a. Annual leave (also referred to as Recreation leave);
- b. Personal/Carer's leave;
- c. Compassionate leave;
- d. Long Service leave;
- e. Parental Provisions;
 - i. Maternity leave
 - ii. Adoption leave
 - iii. Foster Carer's leave
 - iv. Partner leave
- f. Miscellaneous leave (with and without pay*);
- g. Community Service Leave;
 - i. Defence reservist leave
 - ii. Voluntary Emergency Services leave (with or without pay)
 - iii. Jury Service leave
- h. Aboriginal and Torres Strait Islander community and cultural leave;
- i. Purchased leave;
- j. Study leave (and studies assistance); and
- k. Compensation leave.

* Miscellaneous leave without pay is sometimes referred to as leave without pay

2. Policy Aims

The National Library of Australia recognises that appropriate access to leave entitlements is an important aspect of a healthy and productive workplace. The purpose of this policy is to outline the principles for applying and approving leave applications.

3. Definitions

| | |
|-----------------|--|
| Delegate | A person authorised to be a delegate of the Director-General under Section 17 of the <i>National Library Act 1960</i> . |
| Employee | An Australian Public Service (APS) employee employed at the National Library of Australia under the <i>Public Service Act 1999</i> . |

| | |
|---------------------------|---|
| Flexitime | <p>Under flexitime, APS employees may choose what times they start and finish work between 7:00am and 9:00pm Monday to Friday subject to operational requirements and the agreement of the employee's supervisor.</p> <p>Additional hours worked by rostered employees will contribute to their flexitime balance unless approved as overtime.</p> <p>This provision does not apply to Executive Level staff.</p> |
| Planned Leave | Absence from the workplace with the prior approval of the supervisor or delegate, usually annual and long service leave. |
| Rostered employees | <p>An employee whose name appears regularly on a roster as part of their normal duties which include weekend and evening work.</p> <p>Rostered employees may work an ordinary flexitime week between 7:00am and 9:00pm Monday to Friday, and 8:00am and 5:00pm on Saturday and Sunday, subject to operational requirements and the agreement of the employee's supervisor.</p> |
| Supervisor | The person responsible for directing the work of the employee. |

4. Policy statement

The Library supports an approach to approving leave which considers operational requirements and the personal circumstances of the employee; encourages employees to take the most appropriate form of leave in the circumstances; and encourages managers and employees to be active in managing leave entitlements effectively and sensibly. The Library requires that employees exhaust their paid leave (annual, long service leave and if applicable purchased leave) prior to accessing miscellaneous leave without pay.

Approval of applications for leave will generally be granted where they can be reasonably accommodated within operational requirements and where the employee is eligible for that leave.

Employees who absent themselves from the workplace without the approval of their supervisor or delegate are considered to be on 'unauthorised leave'. Unauthorised leave is unpaid and does not count as service.

Provided there is no break in continuity of service, all existing accrued annual and personal/carer's leave (however described) will be recognised for new employees who join the Library from:

- a. an employer staffed under the *Public Service Act 1999*;
- b. an employer staffed under the *Parliamentary Service Act 1999 (Cth)*; or
- c. an employer staffed under the *Australian Capital Territory Government Service (Consequential Provisions) Act 1994 (Cth)*.

Prior service will be recognised for Long Service Leave purposes in accordance with the *Long Service Leave (Commonwealth Employees) Act 1976*.

5. Key roles and responsibilities

- Employees**
1. Employees are expected to manage their leave personally and utilise annual leave within a reasonable time of it becoming available to them.
 2. Employees should give reasonable notice when submitting applications for planned leave and obtain approval before the leave is taken.
 3. Employees participating in flexitime are expected to use those provisions rather than other forms of leave for scheduled absences of less than one day
 4. Employees should record leave absences on Timekeeper or whatever other method as determined by the Library.
 5. Where an employee is required to take unscheduled leave such as personal/carer's leave, they must notify their supervisor of the need for leave as soon as reasonably possible and usually before 10:00 am on the day of absence. Unless otherwise agreed to accept a different form of communication (e.g. SMS or email), it is expected that the employee will speak to their supervisor over the telephone. This will assist in scheduling work over the expected period of absence. If the employee does not notify their supervisor of the absence by 10:00am they may be considered to be on unauthorised leave.
 6. Employees are expected to provide medical or other satisfactory evidence for periods in excess of three days of unscheduled leave, or when previously advised of the requirement by their supervisor or delegate for personal/carer's leave.
 7. If employees wish to extend approved periods of leave they must seek additional approval from their supervisor. If any additional period is leave 'without pay' or at reduced pay (part time long service leave and long service leave at half pay) Human Resources (HR) Branch must be advised immediately to avoid a possible overpayment
 8. Occasionally employees may apply for combinations of leave - for example, annual leave followed by long service leave, followed by leave without pay. Conditions apply to the sequence of leave when long service leave is involved and there are certain leave combinations of leave which are not acceptable if the effect is to obtain advantage of weekends and/or public holidays. Therefore, when planning combinations of leave, particularly extended periods of leave, employees and their supervisors should refer to the Leave Procedures and/or consult with HR Branch for guidance on the acceptable way to arrange the sequence of leave.

**Supervisors
or Delegates**

1. Supervisors should clarify with their work unit their expectations in relation to leave requests and absence notification including timeframes and method.
2. Supervisors should encourage employees to utilise annual leave within a reasonable time of it becoming available to them and in accordance with good management practices.
3. Supervisors or delegates are expected to respond to leave requests promptly.
4. Where a leave application is not approved, the supervisor or delegate will provide clear reasons to the employee and will discuss alternative options, if applicable.
5. Supervisors will ensure that employees have recorded their leave absences on Timekeeper or whatever other method as determined by the Library.
6. Supervisors can request in advance of unscheduled leave that employees provide medical or other evidence.
7. Supervisors may require employees who have submitted their resignation or retirement to the Library or who have accepted a promotion or transfer to another organisation to provide medical or other evidence when taking personal/carer's leave up to their date of exit.
8. Supervisors are required to manage leave schedules during school holidays and around public holidays to ensure that sufficient staff are available at all times. Supervisors are expected to ensure that reasonable or equitable access to preferred leave dates occurs during such periods.
9. Occasionally employees may apply for combinations of leave - for example, annual leave followed by long service leave, followed by leave without pay. Conditions apply to the sequence of leave when long service leave is involved and there are certain leave combinations of leave which are not acceptable if the effect is to obtain unreasonable advantage of weekends and/or public holidays. Therefore, when approving combinations of leave, particularly extended periods of leave, supervisors will refer to the Leave Procedures and/or consult with HR Branch for guidance on the acceptable way to arrange the sequence of leave.
10. When approving leave applications supervisors must be aware of the delegations for approving leave which apply to their positions and/or classifications.

Human Resources (HR) Branch

1. To assist in managing excess annual leave balances, HR Branch will report monthly to employees and their supervisors when the employee's annual leave balance exceeds 35 days.
2. Provide advice to employees and/or supervisors on the acceptable sequence of leave when long service leave is involved and where combinations of leave may obtain an unreasonable advantage of weekends and/or public holidays.

6. Implementation process

How will we implement this policy?

The Leave Policy will be implemented with the assistance of DSUs and be accessible on MyNLA.

Existing staff will be made aware of the changes to the Policy through the corporate email folder and new staff will be made aware of the Policy during the online Induction process.

7. Revision

This policy will be reviewed following the implementation of the next Enterprise Agreement, which is expected to be in July 2020.

8. References and related documents

What are the key references for this policy?

The following documents and/or legislation were considered when developing this policy

Fair Work Act 2009;

Flextime and Flexible Working Hours Policy;

Human Resources Delegations and Authorisations;

Long Service Leave (Commonwealth Employees) Act 1976;

Maternity Leave (Commonwealth Employees) Act 1973;

National Employment Standards;

National Library Act 1960;

National Library of Australia Enterprise Agreement 2017-2020;

Work Health and Safety Act 2011;

Privacy Act 1988;

Public Employment (Consequential and Transitional) Amendment Act 1999;

Public Service Act 1999;

Safety, Rehabilitation and Compensation Act 1988; and
Study Leave Policy

*Are there other
documents
related to this
policy?*

The following documents are related to this policy

Excess Annual Leave on MyNLA page, available at:
<https://my.nla.gov.au/node/12476>

Leave Procedures

Public Holidays and School Term Dates, available at:
<https://my.nla.gov.au/node/1000>