



**Policy Subject/Title:** LEAVE POLICY

**Policy Number:** HR/006

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**Responsible Officer:** Chief Executive Officer

**Legislative or Regulatory Reference:** This Leave Policy is to be read in conjunction with the *Local Government Act 2009*, *Queensland Industrial Relations Act 1999* and the various awards and certified agreements to which Council is respondent.

Nothing in this Policy overrides or affects the Acts or any other law.

**Related Policies / Procedures:** N/A

**Application:** This policy applies to all Somerset Regional Council employees except those covered by individual employment contract.

**Authorised by:** Somerset Regional Council

**Authorised on:** 31 March 2010

**Review / Amendment dates:** 14 May 2014 [Doc Id 755321]  
28 March 2018 [Doc Id 1024321]

## **1. Objective**

The objective of this document is to ensure leave is taken on a timely basis with resultant positive impacts as follows:

- Regular taking of leave benefits staff welfare, safety and productivity
- Regular taking of leave benefits Council's financial position to the extent that growth in labour costs has historically exceeded the rate of inflation
- The cost of resourcing key functions during regular shorter periods of leave may be lower than the costs of resourcing these functions during prolonged staff absences where excessive leave has been allowed to accrue.
- Employees not taking leave has been found in other places to increase the risk of financial loss through fraud
- Regular taking of leave improves the cross-skilling of staff.

## **2. Purpose**

Somerset Regional Council recognises the importance of establishing guidelines to ensure that all employees receive the necessary rest to continue to perform their duties in an efficient and effective manner ensuring staff have an effective work / life balance.

## **3. Scope**

This policy applies to all Somerset Regional Council employees except those covered by individual employment contract.

## **4. Guidelines**

### **ANNUAL LEAVE**

A limit on accrued annual leave of eight (8) weeks applies.

Where legally possible and subject to this policy, no employee will be allowed to accrue more than this limit. In all other circumstances, employees will be actively encouraged to keep leave accruals below the limit.

Appointment letters for all new Council employees commencing will confirm that it is a condition of employment that accrued annual leave balances must not exceed the limit.

Accrued leave includes pro-rated entitled leave for the current year.

In special circumstances the Chief Executive Officer, on written application by the employee, may grant written approval for employees to accrue more than the limit.

The employee's application will include a leave plan outlining the employee's intentions with regard to the leave. This deferred leave will be taken in accordance with the plan.

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## **LONG SERVICE LEAVE**

All employees are required to take their Long Service Leave entitlements in full within a period of five (5) years from when such entitlements fall due (after 10 years continuous employment).

Where legally possible and subject to this policy, no employee will be allowed to accrue more than this limit. In all other circumstances, employees will be actively encouraged to keep leave accruals below the limit.

Appointment letters for all new Council employees commencing will confirm that it is a condition of employment that accrued annual leave balances must not exceed the limit.

The Chief Executive Officer may grant written approval of the accumulation of Long Service Leave in excess of Council policy in extenuating circumstances. Such circumstances may include, but not be restricted to, approaching retirement, work commitments, terms of employment of respective officers.

Employees may take Long Service Leave in one (1) or more portions provided that no less than one (1) week may be taken in any portion. This may be varied to lesser portions in special circumstances as agreed between the employee and the employer.

Employees who are proposing to join Council with a current entitlement of long service leave that would legally be transferred from previous employment with another local government or the like shall be required to indicate their intentions as to how the leave will be cleared, prior to Council making the appointment.

All employees who are eligible for long service leave may apply for long service leave at double pay. Long service leave accruals will be reduced at double the amount of hours of leave taken. (For example – entitlement of ten (10) weeks long service leave, request five (5) weeks at double pay. Long service leave accrual reduces by ten (10) weeks.

In the case of bona fide hardship, on written application by the employee, an employee may be eligible to cash out long service leave entitlements. Where application is made and agreement is reached with the Chief Executive Officer, an employee may be eligible to cash out long service leave entitlements ensuring a minimum balance of four (4) weeks (accessible) long service leave is retained for use by the employee.

## **ROSTERED DAYS OFF**

As per Council's Certified Agreement it has been agreed that non urgent medical and dental appointments and other private activities be taken on employee's Rostered Day Off (RDO) and that where this is not possible, the employee seek permission to switch RDO's in order that time off work is minimal.

Employee are entitled to bank a maximum of five (5) RDO's with the days off being taken by mutual arrangement.

## **TIME IN LIEU**

In situations where an employee is required to work outside of ordinary working hours, the employee may, with the mutual consent of their Director, elect to take time off in lieu of overtime payment for the actual hours worked.

This does not apply to employees who are on-call or are called back to work (overtime is to be paid when an employee is called back to work).

Time off in Lieu and Overtime are subject to the following provisions:

- a. Employees must obtain their Director's approval before working any overtime whether they choose to be paid normal award overtime rates or accrue it as time in lieu.
- b. Leave taken from an employee's time in lieu accrual shall be taken at a time mutually agreed upon between the employee and their Director. Such agreement shall not be unreasonably withheld. If such agreement is refused by the respondent the overtime accrued shall be immediately paid at normal award overtime rates.
- c. Employees may accrue a maximum of thirty-eight hours (38). Any time worked beyond thirty-eight (38) hours, will be paid at normal award overtime rates in the relevant pay period.
- d. On termination, any balance of time in lieu is to be paid out at ordinary time rates.

## **STUDY LEAVE**

As per Somerset Regional Council Study Assistance Policy.

## **NATURAL DISASTER LEAVE**

An employee who is prevented from attending the employee's normal place of employment because of floods and/or severe storm and has provided telephone notification, may be granted leave without loss of pay in the following circumstances:

- It is not practicable for the employee to attend duty at another office;
- The employee is required to return home before the employee's usual ceasing time to ensure personal safety, the protection of the employee's family and property or the availability of transport facilities that may be disrupted or discontinued because of weather conditions.

Approval of leave is subject to the Chief Executive Officer or nominated delegate being satisfied that the absence is unavoidable or justified.

## **OTHER LEAVE**

Requirements for other leave such as, bereavement, family, or sickness other than provided in the relevant Award, may be granted to any employee at the discretion of the Chief Executive Officer.

## **LEAVE WITHOUT PAY**

An employee seeking any other type of leave not provided for under the relevant Award, Certified Agreement or this Policy may be granted leave without pay at the discretion of the Chief Executive Officer. Such leave will not constitute a break in the continuity of service of the employee, however, accrual of benefits and leave during this period will be suspended.

## **NOTIFICATION**

An employee is required to notify a relevant Supervisor within one (1) hour of their standard commencement time if unable to attend the usual workplace due to illness or for any other reason.

Employees, or relevant family members, are required to speak with a relevant Supervisor.

Recorded messages, text messages, emails or similar will not be acknowledge or accepted as suitable notification unless extenuating circumstances apply.

Notification to your Supervisor must include the reason for absence and the expected duration of the absence.

## **5. Exemption of Leave Policy**

Any request for exemption to the Leave Policy should be put in writing and submitted to the Chief Executive Officer. Any granting of such request shall be at the sole discretion of the Chief Executive Officer.

## **6. Breaches**

A breach of this policy and its conditions may cause the offender to be subject to the normal disciplinary measures which apply under *the Local Government Act 2009*.

## **7. Amendments**

Amendments to this policy will be made by the Chief Executive Officer or his nominee as and when required and without the need to consult staff prior to such amendments.

## **8. Date of Resolution**

This policy was approved by the Chief Executive Office and adopted by the Somerset Regional Council on 14 May 2014.



Signed:

Date: 14 May 2014