Leave - Annual Leave Policy

Section 1 - Purpose

(1) The purpose of this Policy is to detail the principles related to annual leave for continuing and fixed-term staff.

Background

(2) Annual leave is designed to give periods of rest and relaxation.

Scope

(3) This Policy applies to all eligible staff members employed at Macquarie University.

(4) It will be of particular relevance to all continuing and fixed-term staff members employed under the relevant industrial instrument.

(5) Casual staff members are not entitled to paid annual leave.

Section 2 - Policy

Eligibility and Entitlement

(6) The eligibility and entitlement to annual leave is prescribed by the relevant industrial instrument and this Policy.

Continuing and Fixed-term Staff Members

(7) Annual leave will be available to all continuing and fixed-term staff members.

a. Full-time staff members will be entitled to accrue 140 hours (four (4) weeks) of annual leave per calendar year of continuous service (and pro rata for incomplete years).
b. Part-time staff members will accrue annual leave on a proportionate basis of the full-time entitlement.
c. Shift Workers (seven (7) day continuous) will be entitled to accrue 175 hours (five (5) weeks) of annual leave per calendar year of continuous service.

Casual Staff Members

(8) Casual staff members are not entitled to paid annual leave. Their hourly rate will include a loading in lieu of (among other things) annual leave.

Payment

(9) The leave payment will be equal to the ordinary rate of pay that the staff member would have received if they had worked during that period.

(10) Payment in lieu of untaken annual leave will be made to the:

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a. staff member on termination of employment; or
b. estate of the deceased staff member in respect of death.

Taking annual leave

(11) The timing of annual leave will be discussed in advance between the staff member and their supervisor.

(12) An application for annual leave must be submitted to cover the staff member's absence and will normally be requested and approved in advance. A supervisor, however, may approve a retrospective application for annual leave.

(13) Academic staff members are required to take a minimum of four (4) weeks annual leave (or the full amount of leave credited to the staff member if it is less than four (4) weeks) during the calendar year.

(14) Professional staff members are expected to take a minimum of four (4) weeks annual leave (or the full amount of leave credited to the staff member if it is less than four (4) weeks) during the calendar year.

(15) Notwithstanding the above, a staff member (academic or professional) may apply to their supervisor to defer taking leave to enable accrual to a maximum of 10 weeks for professional staff and eight weeks for academic staff. All deferral requests will identify dates of when the leave will be taken.

(16) Approval of annual leave will be at the discretion of a supervisor who will consider the:

a. operational requirements of the work area; and
b. personal circumstances of the staff member.

(17) A supervisor will organise workloads to ensure that each staff member has the opportunity to take annual leave in an unbroken period at a mutually convenient time.

(18) A supervisor will not be unreasonable in refusing an application for annual leave. Where a supervisor declines an application for leave, the supervisor will negotiate an alternative period of annual leave with the staff member.

(19) Approved annual leave may be taken for periods of one (1) hour or more.

Fixed-term Staff Member

(20) Fixed-term staff members, where practicable, are required to take their accrued annual leave prior to the end of their employment contract.

Excess Accumulated Leave

(21) Staff members and supervisors will work cooperatively to ensure that annual leave balances are kept within maximum limits.

(22) The University may direct a staff member to take leave if they have accumulated seven (7) weeks or more of annual leave. All requests will be with three (3) months written notice.

(23) Academic staff members may be directed to take up to 350 hours / 10 weeks of annual leave. Professional staff will not be required to reduce their leave balance below 140 hours / four (4) weeks of annual leave.

Cashing out Annual Leave

(24) A staff member may, subject to the conditions of their relevant industrial instrument, submit a written request to their Executive Dean / Head of Office to cash out an amount of annual leave within prescribed limits and subject to conditions.

Payment

(25) A staff member must be paid at least the full amount that would have been payable to the staff member had the staff member taken the foregone leave.

Approval

(26) Approval of a cashing out request is at the absolute discretion of the Executive Dean/Head of Office. Any approval by the Executive Dean / Head of Office must be in writing. Any such arrangement will only be agreed to once in the life of the Macquarie University Enterprise Agreement.

Re-crediting Annual Leave

(27) Where a staff member becomes ill, injured or incapacitated during annual leave they may, in accordance with the Leave - Personal Leave Policy and on the production of supporting documentation, take Personal Leave for the period of their illness or incapacity. In this circumstance, annual leave will be re-credited and personal leave debited.

(28) Annual leave will not be re-credited where the staff member:

a. has not complied with the Leave - Personal Leave Policy with respect to notification; or
b. is on leave immediately prior to termination of employment.

Annual Leave Loading

(29) An annual leave loading payment will be made to eligible staff members on the first payday in December each year.

(30) This payment will be the lesser of 17.5% of four (4) weeks of the staff member's base salary or 17.5% or as specified in the applicable industrial instrument.

Purchased Leave

(31) All continuing staff and staff on fixed-term contracts greater than 12 months may purchase either five (5) days (35 hours) or 10 days (70 hours) additional leave in a 12 month period.

(32) Purchased leave must be taken within a specified 12 month period and will not attract annual leave loading. It will be funded by a corresponding reduction in the staff member's annual salary.

(33) A request for purchased leave will not be unreasonably refused.

(34) Purchased leave cannot be accrued and foregone leave will be refunded where leave is not taken within the specified 12 month period.

(35) The purchased leave rate of pay will be:

a. used if other paid leave is taken during the specified 12 month period;
b. the salary rate applicable for all purposes including calculation of superannuation.

(36) Personal Leave cannot be taken during the period of purchased leave.

(37) Higher Duties Allowance will not be paid during a period of purchased leave.

(38) At the conclusion of the specified 12 month period the staff member will revert to their base salary.

Public Holidays

(39) Public holidays will be paid where they fall within a period of approved annual leave.

Continuity of Service

(40) All paid leave will count as service for the purposes of leave accrual, length of service and incremental progression.

(41) When a period (or periods) of leave without pay exceeds in aggregate 15 working days for full-time staff members (pro-rata for part-time staff members), the period of absence from duty will not be counted as service for the accrual of annual leave.

(42) Entitlements to annual leave loading will be adjusted in the same way.

(43) Where a staff member is granted long service leave or parental leave on half pay, annual leave will accrue at the rate of half during the leave period.

Compliance and Breaches

(44) The University may commence applicable disciplinary procedures if a person to whom this Policy applies breaches this Policy (or any of its related procedures).

Section 3 - Procedure

(45) Refer to the Leave - Annual Leave Procedure.

Section 4 - Guidelines

(46) Nil.

Section 5 - Definitions

(47) Commonly defined terms are located in the University Glossary.

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