Leave - Long Service Leave Policy

Section 1 - Purpose

(1) The purpose of this Policy is to detail the principles related to long service leave.

(2) The purpose of long service leave is to recognise a staff member's length of continuous service at the University.

(3) Long service leave is designed to give periods of rest and relaxation.

(4) All staff members are encouraged to take their entitlement to long service leave.

Scope

(5) This Policy applies to all academic and professional staff employed at Macquarie University under the relevant Enterprise Agreements.

Section 2 - Policy

Eligibility and Entitlement

(6) The eligibility and entitlement to long service leave is prescribed by the Enterprise Agreements.

Full-time Staff

(7) Full-time staff members will accrue long service leave entitlements on the following basis:

Full-time Continuous Service	Long Service Leave Entitlement
Ten (10) years	Three (3) months
Between ten (10) and fifteen (15) years	Nine (9) Calendar Days per year of service
Fifteen (15) years	Four and a half (4.5) months
After fifteen (15) years	Fifteen (15) Calendar Days per year of service

Part-time Staff Members

(8) Part-time staff members will accrue long service leave on a proportionate basis of the full-time continuous service entitlement.

Casual Staff Members

(9) Casual staff members who have completed ten (10) years continuous service on or after 9 May 1985 will be entitled to long service leave.

(10) Casual staff members will accrue long service leave on a proportionate basis of the full-time continuous service entitlement.

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Terminated Services

(11) Where a staff member has completed at least five (5) years but less than ten (10) years continuous service and their services are terminated, the staff member will be entitled to a proportionate amount of long service leave on the basis of two (2) months leave for ten (10) years service, where their services were terminated by:

a. Macquarie University for any reason other than misconduct or serious misconduct; or
b. the staff member on account of:
    i. illness or incapacity;
    ii. domestic or pressing necessity; or
    iii. the death of the staff member.

Recognition of Prior Service

(12) All prior continuous paid service with other higher education institutions will be recognised for the purpose of determining long service leave eligibility on the following basis:

a. for continuing and fixed-term staff members employed by the University:
    i. on or after 1 January 1974, from those Australian universities which grant transferability of long service leave to staff members from the University (except for service prior to 1 January 1974);
    ii. up until 30 April 1977, from those New South Wales universities for whom all continuous paid service with bodies recognised by those universities will also be counted;
    iii. on or after 1 June 1988, from Colleges of Advanced Education; or
    iv. from the Australian Vice-Chancellor's Committee or Universities Australia.
b. eligibility is subject to the following conditions:
    i. any prior service performed on a casual basis will not be recognised;
    ii. there must be continuity of employment between all such positions held, except that a break in service of up to three (3) months will be accepted;
    iii. prior service at an overseas university will not be accepted;
    iv. where a staff member has taken long service leave or is eligible to be paid or has been paid in lieu of long service leave by the releasing university, the staff member will not accrue any entitlement to leave for that period of service with the releasing university;
    v. where a staff member has taken long service leave or is eligible to be paid or has been paid in lieu of long service leave by the releasing university, such a period will be included as qualifying service for determining when the staff member is eligible to take long service leave at Macquarie University; or
    vi. the staff member will be required to serve a minimum of three (3) years with Macquarie University before being permitted to take accrued long service leave or to be paid in lieu on termination of employment. An exception is that, in eligible cases, payment in lieu of such leave will be made when a staff member retires or dies.

Payment

(13) While a staff member is on long service leave, 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.

(14) Payment in lieu of untaken long service leave will be made to the:

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

Cashing Out of Long Service Leave

(15) The cashing out of long service leave is not permitted by the Long Service Leave Act 1955 (NSW). The cashing out of long service leave is not permitted for any staff member.

Re-crediting Long Service Leave

(16) Where a staff member becomes ill, injured or incapacitated for one (1) week or more whilst on a period of long service leave, the staff member will be entitled to payment of personal leave upon production of supporting documentation in accordance with the Leave - Personal Leave Policy and Leave - Personal Leave Procedure. In this circumstance, long service leave will be re-credited.

(17) Long service leave will not be re-credited where the staff member:

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

Public Holidays and Concessional Days

(18) In accordance with the provisions of Fair Work Act 2009 (Cth) and the Long Service Leave Act 1955 (NSW), public holidays will be paid where they fall within a period of approved long service leave.

(19) Concessional Days, as they are not public holidays, which fall during or at the end of a staff member's long service leave, are counted as long service leave.

Continuity of Service

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

(21) Absence from duty will not be counted as service for the accrual of long service leave, where the period (or periods) of leave without pay (including unpaid parental leave) exceeds, in aggregate, six (6) months in any calendar year for full-time staff members (pro rata for part-time staff members). The excess over six (6) months will not be taken into account in determining total service for long service leave purposes.

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

Taking Long Service Leave

(23) A staff member and their supervisor are required to discuss in advance the timing of long service leave.

(24) Long service leave must be requested and approved in advance.

(25) Approval of long service leave will be at the discretion of the supervisor who will consider the:

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

(26) A supervisor, wherever reasonable and practicable, will:

a. organise workloads to ensure that each staff member will have an opportunity to take their long service leave in unbroken periods; and

b. not be unreasonable in refusing an application for long service leave.

(27) Where an application for long service leave is declined, a supervisor will negotiate an alternative period of long service leave with the staff member.

(28) Approved long service leave may be taken for periods of seven (7) Calendar Days or more.

(29) A staff member may apply to take long service leave on half-pay.

Excessive Long Service Leave

(30) The University may require a staff member to take a minimum of six (6) weeks long service leave with twelve (12) months' written notice when they have accrued a maximum of four and a half (4.5) months long service leave.

Compliance and Breaches

(31) 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 - Procedures

(32) Refer to Leave - Long Service Leave Procedure.

Section 4 - Guidelines

(33) Nil.

Section 5 - Definitions

(34) Commonly defined terms are located in the University Glossary. The following definitions apply for the purpose of this Policy:

a. Calendar Day means all days in a month, including weekends and public holidays.
b. Concessional Days means the three days paid leave granted to University Staff following Boxing Day and before New Year's Day.

Status and Details

Status	Historic
Effective Date	22nd February 2021
Review Date	1st April 2021
Approval Authority	Vice-President, People and Services
Approval Date	2nd February 2011
Expiry Date	19th April 2022
Responsible Executive	Eric Knight Deputy Vice-Chancellor (People and Operations)
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