

# Leave Entitlements Policy

## Section 1 - Key Information

<b>Policy Type and Approval Body</b>	Administrative - Vice-Chancellor
<b>Accountable Executive - Policy</b>	Chief Operating Officer
<b>Responsible Manager - Policy</b>	Executive Director, Human Resources
<b>Review Date</b>	5 June 2027

## Section 2 - Purpose

(1) This objective of this Policy is to confirm the University's commitment to providing all employees with leave of various types, as required by law and their particular terms and conditions of employment which includes [La Trobe University Enterprise Agreement 2023](#) (the [Enterprise Agreement](#)) and their contract of employment. This Policy should be read in conjunction with these documents.

## Section 3 - Scope

(2) This Policy applies to all continuing, fixed-term and casual staff members of the University, however not all leave entitlements apply to all members of staff. Relevant staff entitlements are outlined in each Part, which outline how leave entitlements and procedures will apply. For example, leave arrangements for casual staff are outlined in Part B of this Policy.

(3) This Policy does not cover leave related to Outside Studies Program for Academics.

## Section 4 - Key Decisions

<b>Key Decisions</b>	<b>Role</b>
Notification of leave requests in accordance with the <a href="#">Enterprise Agreement</a> and this Policy.	Staff Member
Approving leave requests in accordance as outlined in the <a href="#">Enterprise Agreement</a> and this Policy. This includes completing necessary steps in the online platform, discussions with staff on notice, documentation and evidence requirements and where necessary escalating leave requests to the Dean / Head of Division / Executive Director, Human Resources.	Supervisor/ Manager
Assessing the Impact of the proposed timing of planned leave on the work unit / team prior to agreeing to any planned leave.	Supervisor/ Manager
Contacting staff who are on leave for longer absences to undertake welfare checks and confirming arrangements for returning to work and promptly seeking assistance from Dean / Head of Division or their delegate in relation to the health, safety, and wellbeing for staff members on leave.	Supervisor/ Manager
Managing excessive leave balances for recreation leave and long service leave and ensuring discussions with staff and escalation to Executive Director, Human Resources or their delegate where the University may need to apply formal procedures.	Dean/ Head of Division and Supervisor/ Manager

Key Decisions	Role
Assessment of eligibility for leave and provision of information as requested by staff member or supervisor / manager.	Human Resources
Approval of special leave for staff, or extended periods of Sporting Competition Leave.	Executive Director, Human Resources

## Section 5 - Policy Statement

### General Principles

(4) A safe and healthy workplace enables staff members to take leave breaks and provides them with an opportunity to refresh themselves away from the work environment and/or attend to family responsibilities.

(5) In applying for leave, an eligible staff member is required to:

- a. discuss the leave with their supervisor and/or manager as soon as possible to the absence period (It is noted in this Policy that there may be particular occasions where the staff member may only be able to request or notify their supervisor of their leave after the leave has commenced);
- b. apply for leave via either:
  - i. MyHR on-line portal;
  - ii. Ask HR on-line portal;

and include any relevant support documentation for leave at the time of the request and submitting it to their supervisor and/or manager for approval.

(6) All approvals for leave are subject to the staff member having an entitlement to the claimed leave and any requirement for documentation or evidence in support of the reasons for the leave and the length of the absence, unless documentation or evidence is expressed as not being a requirement.

(7) If a staff member requires any advice or support in applying or obtaining approval for any type of leave they may contact AskHR.

(8) From time to time, the University will seek to contact staff who are on leave for longer absences to undertake welfare checks or confirm arrangements for returning to work in relation to the health, safety, and wellbeing for staff members on leave.

(9) Provided that the period of leave was applied for and agreed to, whilst on leave a staff member remains employed by the University. This includes approved periods of Leave Without Pay.

(10) Casual Staff may not be able to access MyHR to enter leave requests however they may submit a request through AskHR or by a request for their supervisor/manager to submit.

(11) The University maintains records of leave taken by employees, in accordance with the [Enterprise Agreement](#) and as per legislative requirements. Staff members are required to follow procedures in their application and/or notification of leave.

(12) For the purposes of this Policy and unless otherwise stated, leave expressed in hours will be provided on a pro-rata basis for staff engaged on a part-time / fractional employment; or part-year or annualized hours professional employment.

(13) Travel and incidental costs arising for an eligible staff member for all leave will not be borne by the University.

(14) Where a term is silent in the [Enterprise Agreement](#) or Contract of Employment the provisions under the [Fair Work Act 2009 \(Cth\)](#) will apply.

## Section 6 - Procedures

### Part A - Leave Types

(15) University staff are entitled to the following types of leave as provided under the [Enterprise Agreement](#), National Employment Standards (NES), and their particular terms and conditions of employment.

(16) A summary of leave entitlements for staff are listed as follows:

Leave Category	Name of Leave	Enterprise Agreement	Policy Reference
Cultural, Community & Other	Contesting Elections Leave Cultural or Religious Purposes Leave Defence Training Leave Donating Blood Leave Emergency Services Leave Indigenous Australian Leave Jury Service, Crown Witness and Tribunal Leave Sporting Competitions Leave Trade Union Business Leave Volunteering / For Purpose organisation Leave	Clause 48	Part C
Family and Domestic Violence Leave	Family and Domestic Violence Support Leave	Clause 47	See separate policy as referenced in Part D
Life Events Leave	Assisted Reproductive Technology Leave Compassionate Leave Examination/ Study Leave for Professional Staff Life Administration Leave Relocation Leave Special Leave - at the discretion of the Executive Director, Human Resources	Clause 49	Part E Also see separate policy as referenced in Part E
Life Events Leave	Gender Affirmation Leave	Clause 49 and 28	Part E Also see separate policy as referenced in Part E
Life Events Leave/ Parental Leave	Early Pregnancy Loss Leave Late Pregnancy Loss Leave	Clause 46 and 49	Part E Also see separate policy as referenced in Part E
Leave Without Pay	Leave Without Pay (excluding unpaid parental leave)	N/a	Part F
Long Service Leave	Long Service Leave	Clause 44	Part G
Parental Leave	Unpaid Parental Leave Paid Primary Carer Leave Paid School Age Primary Carer Leave Paid Secondary Carer Leave Paid Surrogacy Leave	Clause 46	See separate policy as referenced in Part H

Leave Category	Name of Leave	Enterprise Agreement	Policy Reference
Personal, Carer's & Infectious Diseases	Personal Leave Carer's Leave Indigenous Australian Kinship Carer's Leave Infectious Diseases Leave Funeral Leave Supporting people to affirm their gender leave Special Repatriation Leave	Clause 45	Part I Also see separate policy as referenced in Part I
Recreation Leave and Purchased Leave	Recreation Leave Purchased Leave Arrangements	Clause 43 Clause 21 of Schedule 12 provides arrangements for eligible staff at Agribio	Part J
University Days and End of Year Close down	University Days (including listed public holidays provided in NES).	Clause 41 and 42	Part K

## Part B - Leave Entitlements for Casual Staff

(17) Casual staff are entitled to unpaid leave, subject to the same evidentiary requirements as apply to non-casual staff under Personal, Carers and Infectious Diseases Leave; Cultural Community and Other Leave and Life Events leave. Casual staff may also be entitled to unpaid Parental leave under Clause 46 of the [Enterprise Agreement](#). Full details are provided in the [Parental Leave Entitlements policy](#).

(18) Casual staff may be eligible to paid leave in accordance with the relevant provisions of the [Enterprise Agreement](#):

Leave Category	Name of Leave	Enterprise Agreement Reference	Policy Reference
Family and Domestic Violence Support	Family and Domestic Violence Support Leave Casual Staff will be entitled to paid and unpaid entitlements	Clause 47	See separate policy as referenced in Part D
Long Service Leave	Long Service Leave Eligible casual staff are entitled to Long Service Leave.	Clause 44	Part G
Personal, Carer's & Infectious Diseases	Infectious Diseases Leave Casual Staff will be entitled to this leave subject to the provisions of the Enterprise Agreement	Clause 45	Part I

### Paid Infectious Diseases Leave for Casual Staff

(19) Casual staff are entitled to pay for the period of absence as per clause 45 of the [Enterprise Agreement](#) if they:

- a. contract an infectious disease classified as notifiable to the Victorian Department of Health and Human Services or equivalent State or Territory government body; or
- b. are required by a medical practitioner to remain isolated due to contact with a person that has a notifiable infectious disease.

(20) For the avoidance of doubt Infectious Diseases Leave may not be used for staff who are absent due to SARS Co2 (also known as COVID19) unless the Victorian Department of Health and Human Services or equivalent State or Territory government body for the state that the staff member works in, has classified it as a notifiable infectious disease.

(21) Casual staff will be paid for the work they were scheduled to undertake as rostered hours for the period.

(22) A medical certificate is to be provided to the staff member's supervisor/manager which includes details of the isolation due to contracting or being in contact with a person who has a notifiable infectious disease and is to include the estimated period of isolation. Staff are encouraged to provide the medical certificate as soon as practicable.

### **Paid Long Service Leave for Casuals**

(23) In accordance with subclauses 44.11 and 44.12 of the [Enterprise Agreement](#), casual staff will be eligible to long service leave in accordance with the [Long Service Leave Act 2018 \(Vic\)](#). Further details are outlined in the Part G (Long Service Leave) of this Policy.

### **Unpaid Parental Leave for Casuals**

(24) Eligible casuals with at least 12 months service are entitled to unpaid parental leave in accordance with clause 46 of the [Enterprise Agreement](#). Further details for procedures are provided in the [Parental Leave Entitlements Policy](#).

## **Part C - Cultural Community and Other Leave Procedure**

### **Cultural or Religious Purposes Leave**

(25) Staff (except casuals) are entitled to up to 21.75 hours of paid leave per year of service, for the purpose of observing cultural or religious occasions of significance, associated with a staff member's particular religious faith, culture or tradition in accordance with clause 48 of the [Enterprise Agreement](#). For Indigenous Australians this leave may be accessed for any purpose described in Indigenous Australian Leave provided in clause 48 of the [Enterprise Agreement](#).

(26) Examples of cultural or religious occasions of significance across the calendar year is provided by the Australian Government Department of Home Affairs. Please note, not all days referenced in the [Australian Government Department of Home Affairs](#) calendar will be recognised as Cultural or Religious Purposes leave. Prior to applying for leave, staff should consult with your supervisor/manager, who may seek advice from HR regarding the proposed application for Cultural or Religious Purposes Leave.

(27) Cultural or Religious Purposes Leave will be provided on a pro-rata basis for eligible staff where they are either:

- a. engaged on a part-time/fractional employment; or
- b. employed on a part-year or annualised hours professional employment.

(28) Eligible staff must take this leave on the days as they are scheduled throughout the calendar year and substitute days are not allowed.

(29) Eligible staff are requested, where practicable and in advance of taking leave, to notify and advise their supervisor/ manager of the relevant cultural or religious occasion of significance. The supervisor/manager may request further information from the staff member regarding the request and expected period of leave.

(30) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

(31) Staff are entitled to access this leave for a minimum of one (1) hour per occasion.

### **Jury Service, Crown Witness and Tribunal**

(32) If a staff member (except a casual staff) is required to attend a court or tribunal for the purpose of jury service, as a Crown witness, as a witness on behalf of a Union or to give evidence directly related to their employment, they shall

be entitled to leave on full pay for the duration of such attendance as provided in clause 48 of the [Enterprise Agreement](#).

(33) Notice and evidence of the required absence must be given by the staff member to their supervisor/manager as soon as the staff member is aware of the expected dates of absence. An example of such evidence is a written communication from the court or tribunal.

(34) In relation to payments offered for court proceedings such as jury duty, staff will not be required to transfer the jury service payments to the University following the period of court/tribunal attendance. Staff required to attend are encouraged to waive the jury service payments as they will be on leave on full pay.

### **Volunteering/For Purpose Organisation Leave**

(35) Staff (except casuals) can access two (2) days of paid leave each calendar year for the purpose of volunteering with a For Purpose Organisation as provided in clause 48 of the [Enterprise Agreement](#). A For-Purpose Organisation is a volunteer – involving organisation and may include a charity, community group, religious group, political group, sporting group, or school. Eligible staff may also use this leave to volunteer at La Trobe University.

(36) This leave is not to be used for circumstances where an eligible staff member seeks to;

- a. participate in a group or activities without volunteering; or
- b. seeks to provide support or caring to an immediate family member (as defined in Schedule 10 of the [Enterprise Agreement](#)) or member of their household. In these circumstances other leave entitlements such as Carers Leave are more appropriate.

(37) Volunteering Leave is not cumulative and cannot be carried over to the following year or paid out at termination.

(38) Eligible staff must apply for this leave in advance and seek the approval of their supervisor/manager prior to taking leave. Supervisors / managers will not unreasonably withhold approval but may seek to ask information to determine if the request falls within the scope of Volunteering / For Purpose Organisations Leave.

(39) Travel costs for staff to Volunteer at a For Purpose Organisation will not be covered by the University.

### **Donating Blood Leave**

(40) Staff (except casuals) are entitled to take up to two (2) hours of paid leave per occasion, up to a maximum of 14 hours each calendar year for the purpose of donating blood during working hours.

(41) Donating Blood Leave will be provided on a pro-rata basis for eligible staff where they are either:

- a. engaged on a part-time/fractional employment; or
- b. employed on a part-year or annualised hours professional employment.

(42) Notice of intended absence must be given by the staff member to their supervisor/manager and the supervisor/manager may request the staff member to seek a time that best supports the operational requirements of the team / work area and provide satisfactory evidence to support the request for Donating Blood Leave.

(43) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

### **Emergency Services Leave**

(44) A staff member (except casuals) who engages in a Voluntary Emergency Management Activity is entitled to full pay for the duration of the activity as per clause 48 of the Enterprise Agreement with supporting evidence from the

relevant authority for the specified date range.

(45) To apply for this type of leave, eligible staff must provide a notice of absence to their supervisor/manager as soon as reasonably practicable, (which may be after a time after the leave has started) and provide an indication of estimated length of the absence.

(46) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

## **Indigenous Australian Leave**

(47) Indigenous Australian Staff (except casuals) who undertake or participate in Indigenous Australian's community, cultural and ceremonial duties including initiation, birthing and naming, smoking or cleansing, sacred site or land ceremonies, and attending to Sorry Business or leave for Sorry Day are entitled to up to one (1) week of paid leave and up to two (2) weeks of unpaid leave per year of service as provided in clause 48 of the [Enterprise Agreement](#).

(48) Eligible staff may access paid leave in single days or more however a staff member requires less than a day of leave (hours) then staff may request this in accordance with their needs.

(49) In the case of funerals, the staff member may be entitled to paid leave under Compassionate Leave as provided in clause 48 of the [Enterprise Agreement](#).

(50) To apply for this leave, where practicable eligible staff must provide a notice of absence to their supervisor/manager, in advance of taking the leave and complete application on MYHR online system.

(51) Staff may be required to advise their supervisor of the relevant community, cultural or ceremonial duties.

(52) If a staff member has exhausted their entitlement to Indigenous Australian leave, they may be entitled to access Cultural or Religious Purposes leave instead.

(53) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

## **Defence Training Leave**

(54) Staff (except casuals) are entitled to full pay for up to 18 days (including non-working days) to attend an annual training camp in any one calendar year as outlined in clause 48 of the [Enterprise Agreement](#). Further four (4) days may be granted if the Commanding Officer of the unit certifies that additional days are necessary.

(55) To apply for this leave, the eligible staff member is required to notify the supervisor, of the requirement to attend Defence Training at least two (2) weeks in advance of the absence. Failure to provide the supervisor with two (2) weeks' notice, in advance of absence will result in the absence being leave without pay or the staff member being required to utilise other leave entitlements.

(56) Leave without pay may be granted so that a staff member can attend one (1) school, class or course of military instruction per year (other than an annual camp) for up to 16 days (including non-working days). If military pay is less than the staff member's salary, the University will make up the difference on application by the staff member with appropriate supporting documentation.

(57) Eligible staff should, at the start of each year, inform their supervisor/manager of their anticipated Australian Defence Reserve Forces (ADRF) for the next 6 - 12 months, even when specific dates are unknown. Once specific dates are available, staff should notify their supervisor/manager at the earliest practicable opportunity.

(58) The nominated ADRF unit point of contact may be contacted by the supervisor/manager to discuss possible alternative dates where the absence of a staff member may cause significant difficulties to meet operational requirements.



(59) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

## **Sporting Competitions Leave**

(60) Staff (except casuals) who are competing in, or acting as an accredited official in an approved sporting event may be granted paid or unpaid leave for the period of the competition together with reasonable travel time. Examples of approved sporting events includes Olympic Games, Paralympic Games (Summer or Winter) or Commonwealth Games.

(61) To apply for this type of leave, eligible staff must provide a notice of absence to their supervisor/manager two (2) weeks in advance of the sporting competition and provide documentary evidence of selection as a competitor or accreditation as an official.

(62) Failure to provide the supervisor with two (2) weeks' notice, in advance of absence will result in the absence being leave without pay or the staff member being required to utilise other leave entitlements.

(63) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

## **Contesting Elections**

(64) All Staff may be entitled to a period of unpaid leave between the close of nominations and the declaration of the ballot at Parliamentary elections as per clause 48 of the [Enterprise Agreement](#). Recreation or long service leave may also be used where an accrued balance is available on approval from their supervisor/manager. Supporting documentation may be required.

(65) Staff seeking this leave may be requested to provide supporting documentation and provide confirmation of length of absence and an intention to seek to keep their supervisor/manager informed of any changes to the leave and their return to work as soon as practicable.

(66) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

## **Part D - Family and Domestic Violence Support**

(67) Entitlements are provided in the [Family and Domestic Violence Support Policy](#).

## **Part E - Life Events Leave Procedure**

### **Compassionate Leave**

(68) Paid or unpaid compassionate leave is available to all staff if:

- a. their partner, or an immediate family member (as defined in Schedule 10 of the [Enterprise Agreement](#)) or member of the staff member's household dies or develops a life-threatening illness or injury;
- b. a baby of an immediate family member (as defined in Schedule 10 of the [Enterprise Agreement](#)) or member of the staff member's household is stillborn; or
- c. their partner has a miscarriage (note in the case of a staff member having a miscarriage, early pregnancy loss leave may apply).

(69) Staff (except casuals) are entitled to two (2) weeks of paid compassionate leave on each occasion as provided in clause 49 of the [Enterprise Agreement](#).

(70) Casual staff are entitled to two (2) weeks of unpaid compassionate leave on each occasion as provided in clause 49 of the [Enterprise Agreement](#).



(71) Notice of absence should be provided to the supervisor/manager as soon as reasonably practicable which may be at a time after the leave has started. In the case of a serious illness or injury, the University may request a letter from a medical practitioner stating the illness or injury is critical or of a life-threatening nature.

(72) The Executive Director, Human Resources, may grant to the staff member further paid or unpaid compassionate leave on a case-by-case basis for special circumstances (for example a delayed funeral or need to undertake extensive travel).

(73) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

## **Funeral Leave**

(74) Staff (except casuals) can use untaken personal leave credits or agree with the University to take unpaid leave for up to one (1) day per occasion for the purposes of attending a person's funeral where they do not have an entitlement to Compassionate Leave as provided in clause 45 of the [Enterprise Agreement](#).

(75) Casual staff can access up to one (1) day of unpaid leave per occasion for the purpose of attending a person's funeral.

(76) Notice of absence must be given to the supervisor/manager as soon as reasonably practicable.

(77) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

## **Life Administration Leave**

(78) Staff (except casuals) are entitled to up to one (1) day paid leave, each calendar year, to attend to a range of life and personal administration matters.

(79) Life Administration leave must be taken at a time agreed by the supervisor/manager and approved in advance of the leave taken by the supervisor/manager. As provided in clause 49 of the [Enterprise Agreement](#) the supervisor/manager will not unreasonably withhold their agreement to when the leave is taken.

(80) The reasons that this leave may be requested may be broad and particular to each eligible staff member, however examples may include:

- a. to attend to financial matters, such as researching mortgage providers and applying for a new home loan or researching health insurance providers to identify a more suitable health insurance policy;
- b. to attend to parental matters, such as taking tours of local schools to assist with determining arrangements for their child's education;
- c. to attend to caring related matters, such as assisting an elderly family member to apply for and transition into aged care.

(81) Life Administration Leave is to be taken as a single day per calendar year.

(82) Once eligible staff have spoken with their supervisor/manager they must also complete application on MYHR online system.

(83) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

## **Assisted Reproductive Technology Leave**

(84) Staff (except casuals) are entitled to up to one (1) week, each calendar year, to attend to treatments, appointments and other activities related to the treatment or procedures that address fertility as provided in clause 49 of the [Enterprise Agreement](#). This leave is separate to personal leave.

(85) This leave may be used for a range of reasons related to healthcare measures for reproductive organs. This may include but is not limited to artificial insemination, in-vitro fertilisation, ICSI or gamete intrafallopian transfer.

(86) Eligible staff must provide their supervisor/manager with a notice of absence as soon as reasonably practicable and prior to the absence and include information of the estimated length of the absence.

(87) This leave entitlement may be accessed at a minimum of an hour or greater for the purpose of attending appointments or having procedures that address fertility. Assisted Reproductive Technology Leave will be provided on a pro-rata basis for eligible staff:

- a. engaged on a part-time/fractional employment; or
- b. employed on a part-year or annualised hours professional employment.

(88) Once eligible staff have spoken with their supervisor/manager they must also complete application on MYHR online system.

(89) This leave does not accumulate, and any untaken leave is not paid out upon termination of employment.

### **Gender Affirmation Leave**

(90) Trans or gender-diverse staff (except casuals) are entitled to up to four (4) weeks paid leave each calendar year up to a maximum of eight (8) weeks over the life of their employment, for the purposes of social, medical or legal affirmation as provided in clause 49 of the [Enterprise Agreement](#). This leave is separate to personal leave.

(91) Trans or gender-diverse staff employed as casuals are not entitled to paid Gender Affirmation Leave, but may be eligible for Gender Affirmation Allowance under clause 28 of the [Enterprise Agreement](#).

(92) Further information on Gender Affirmation Leave can be found in the [Transgender and Gender Diverse Staff Support Policy](#).

(93) Any untaken leave is not paid out upon termination of employment.

### **Early Pregnancy Loss Leave**

(94) Staff (except casuals), irrespective of the length of service, are entitled to three (3) weeks paid Early Pregnancy Loss Leave in the event of their pregnancy terminating by miscarriage at a gestation of prior to 20 weeks. Please refer to the [Parental Leave Entitlements Policy](#) for further information.

### **Late Pregnancy Loss Leave**

(95) Staff (except casuals) are entitled to combined total of six (6) months paid and unpaid leave taken as a single continuous period in the event where the pregnancy of the staff member ends after at least 20 weeks by miscarriage or the birth of a still-born child as outlined in clause 46 of the [Enterprise Agreement](#). Please refer to the [Parental Leave Entitlements Policy](#) for further information.

### **Examination/Study Leave (Professional Staff)**

(96) Professional staff (except casuals) are entitled to paid leave for attendance at approved courses and examinations in subjects approved by the University. This leave applies where eligible staff are undertaking an approved course of study during working hours where, in the opinion of the supervisor and Dean/Divisional Manager, the course of study is of direct value to the University and relevant to the work or career goals of the staff, provided the staff member's career goals are aligned to a career available within the University.

(97) Study Leave will include travel time during normal working hours to and from the relevant venue however the

University is not liable for costs related to travel to and from the venue unless prior arrangements are made with the supervisor, Dean / Divisional Manager.

(98) Leave must be taken at a time agreed by the supervisor and applied for and approved in advance by the supervisor/manager.

(99) Staff should complete application for leave on MYHR online system.

## **Relocation Leave**

(100) Staff (except casuals) are entitled to up to two (2) days paid leave for the purpose of relocating to a new residence, where the staff member is required:

- a. by the University to perform all or the major part of their duties at a different campus of the University (e.g. if the staff member's role is relocated to a different campus); and
- b. elects to relocate to a residence closer to the new place of work (or a more convenient location for public transport).

(101) Leave must be taken at a time agreed by the supervisor and applied for and approved in advance by the supervisor/manager.

(102) Staff should complete application for leave on MYHR online system.

(103) Any untaken leave is not paid out upon termination of employment.

## **Special Leave**

(104) The Executive Director, Human Resources may grant a period of paid or unpaid leave at their discretion to a staff member who is experiencing difficult personal circumstances.

(105) Where a staff member wishes to apply for special leave they must apply in writing, stating the reasons they are seeking special leave. Staff are encouraged to provide notice of absence to supervisor/manager as soon as reasonably practicable prior to the absence. Once eligible staff have spoken with their supervisor/manager they must also complete application through Ask HR on the online platform.

(106) The Executive Director, Human Resources or nominee will consider the request and advise the staff member of their decision.

## **Part F - Leave Without Pay Procedures**

(107) Staff (except casuals) may be able to access unpaid leave where paid leave entitlements are exhausted or unavailable. Unpaid leave will be granted at the University's discretion unless otherwise specified at law (for example unpaid parental leave as provided in the [Enterprise Agreement](#) and the NES).

(108) A staff member must submit their request for unpaid leave to their Supervisor and include the reason for requesting unpaid leave. A Supervisor will provide a response in writing and has no obligation to approve a request for leave without pay where a staff member has no entitlement to the leave type.

(109) In the event a Supervisor does not approve a request for leave without pay, in consultation with Human Resources they may issue a staff member with a direction to attend work.

(110) Other than as provide for in clause 50 of the [Enterprise Agreement](#), periods of leave without pay will not count as service for the purposes of calculating all service-based entitlements, including leave and redundancy pay.

However, during a period of leave without pay a staff member will remain an employee of the University and will be expected to adhere to the University's policies and procedures. This includes notifying the University (via their supervisor) of:

- a. any perceived, real or potential conflicts of interest that may arise;
- b. if the circumstances relating to their reason for seeking leave without pay change or are no longer relevant; and
- c. seeking approval before undertaking any outside work (including paid employment with another employer, or undertaking work as an independent contractor or business owner).

## **Part G - Long Service Leave Procedure**

(111) Long Service leave entitlements are set out in clause 44 of the [Enterprise Agreement](#).

(112) Eligible staff are entitled to 9.1 weeks of long service leave after seven (7) years of service, and will accrue at 1.3 weeks for every additional year of service after that.

(113) Long Service Leave will be paid at the eligible staff member's time fraction as at the date on which the leave is taken. This may change if a member of staff has elected to take long service leave at half pay (Half Pay Long Service Leave).

(114) All requests for long service leave may be for a period of one (1) day or greater, unless explicitly outlined below for long service leave at half pay for double the period or for management of excessive long service leave.

(115) In determining eligibility of leave relevant to accrual of long service, leave which counts as service should be considered as specified in clause 50 of the [Enterprise Agreement](#).

### **Taking Long Service Leave**

(116) When a staff member has an accrued entitlement to take long service leave, the staff member and their supervisor/manager will consult about agreeing to mutually acceptable dates when the leave will be taken. The dates will be agreed having regard to the staff member's preferred dates and the operational needs of the University as outlined in subclauses 44.5 to 44.7 of the [Enterprise Agreement](#).

(117) Where a staff member gives the notice, set out below, of their intention to take long service leave, unless there are exceptional circumstances, approval will not be unreasonably withheld:

- a. 6 months notice in the case of professional staff at HEO Level 7 and below;
- b. 12 months notice in the case of professional staff at HEO Level 8 and above; or
- c. 12 months notice in the case of academic staff.

(118) If a supervisor/manager and staff member are unable to agree on a suitable time to take long service leave, the matter will be referred to the Executive Director, Human Resources for determination as provided in subclause 44.7 of the [Enterprise Agreement](#). Before making decision, the Executive Director, Human Resources will provide the staff member with an opportunity to present their case in writing.

### **Entitlement to Long Service Leave for Casual Staff**

(119) In accordance with subclauses 44.11 and 44.12 of the [Enterprise Agreement](#), casual staff will be eligible to long service leave in accordance with the [Long Service Leave Act 2018 \(Vic\)](#). In relation to what counts as service for the accrual of long service leave for casuals, unless it has already been recognised by the University, service as a casual prior to 18 December 2009 does not count as service for calculating long service leave entitlements.

(120) For long service leave purposes, casual employment is taken to be continuous if there is no more than an absence of three (3) months between the end of one instance of employment and the start of the next instance of employment. If there is more than a three (3) month absence between each instance of employment, casual service will be taken to be continuous if:

- a. The casual staff member and the University agree before the start of the absence;
- b. The absence is due to the terms of engagement of the casual staff member;
- c. The absence is caused by seasonal factors; or
- d. The casual staff member has been employed by the University on a regular and systematic basis and has a reasonable expectation of being re-engaged by the University.

(121) In considering the above, breaks in between teaching periods, or periods of parental leave will be counted as continuous service.

(122) Casual staff accrue long service leave on a pro-rata basis calculated on the number of ordinary hours worked. Payment during long service leave will be based on staff member's normally daily hours at their ordinary rate of pay as at the time of taking leave.

(123) The University is committed to pathways to convert staff from casual employment. However where a casual staff member has an accrued entitlement to take long service leave, the staff member and their supervisor/manager will consult about agreeing to mutually acceptable dates when the leave will be taken. The dates will be agreed having regard to the staff member's preferred dates and the operational needs of the University.

(124) Where a casual staff member's normal hours vary, the normal hours for calculating their long service leave entitlement are taken to be the greatest of the average weekly hours (occurring immediately before the long service leave commencing) over either the preceding 52 weeks, 260 weeks or the entire period of continuous employment. When calculating average weekly hours, unpaid leave or unpaid periods are excluded.

## **Payment of Long Service Leave**

(125) Long service leave is paid at the normal salary rate of the staff member (including casuals), excluding overtime, shift or other penalty rates. For the avoidance of doubt where a staff member's ordinary time rate of pay varies, the average of their weekly rate earned over the preceding 52 weeks, 260 weeks or over the entire period of continuous employment (whichever is the greatest) will be used.

(126) Subclause 44.10 of the [Enterprise Agreement](#) provides that staff will be entitled to payment in lieu of untaken accrued long service leave as at the date of termination of employment where:

- a. The staff member's employment at the University terminates after seven (7) years or more continuous service, including service recognised with another employer as outlined in clause 21 of the [Enterprise Agreement](#) (Recognition of Prior Service) and if applied for in accordance with clause 21 of the [Enterprise Agreement](#);
- b. The staff member's employment ends due to ill health or death after four (4) years or more continuous service, including service recognised with another employer as outlined in clause 21 of the [Enterprise Agreement](#) and if applied for in accordance with clause 21 of the [Enterprise Agreement](#);

(127) The staff member's employment ends pursuant to the following clauses of the [Enterprise Agreement](#):

- a. clause 66 (Redundancy Procedures) excluding subclause 66.15 – Rejection of a Reasonable Offer of Redeployment) and subclause 11.5 (c) - Termination of Fixed-Term Employment where the staff member has not accrued Long service leave, the staff member receives a redundancy payment under subclause 66.7 or pursuant to subclause 15.8 (Research Continuing).

## Long Service Leave at Half Pay

(128) Eligible staff may elect to take their long service leave at the weekly rate of pay for half the staff member's ordinary hours of work over double the time (Half Pay Long Service Leave). Eligible staff must take minimum amount of two (2) weeks leave (equivalent to one (1) week at the staff member's full pay).

(129) A staff member who elects to take Half Pay Long Service Leave will accrue their service-based entitlements at half the rate. For the avoidance of doubt the staff member will accrue service-based entitlements for the full period of the Half Pay Long Service Leave, at a rate equivalent to half their FTE, for that period.

(130) Eligible staff who elect to take Half Pay Long Service Leave will be entitled to pay increases or increments during the time that they are taking as Half Pay Long Service Leave.

(131) Staff are not entitled to take Long Service Leave at double pay. Such arrangements would constitute an offence under the Long Service Leave Act 2018 (Vic).

## Employment During Long Service Leave

(132) Staff (including casuals) are not permitted to undertake paid work for any organisation, whilst on long service leave for the same days that they take long service leave. This would be an offence under section 35 of the Long Service Leave Act 2018 (Vic).

## Management of Excess Long Service Leave

(133) Staff are required and encouraged to take their long service leave entitlements as leave once they are eligible. Supervisors / managers are required to monitor leave balances of staff in their teams and to ensure that leave plans are discussed and encouraged, particularly where a staff member has a large leave balance. It is an offence under the [Long Service Leave Act 2018](#) (Vic) to cash out long service leave and the University encourages eligible staff to take this entitlement as leave.

(134) Staff who have a long service leave balance of more than 20 weeks are considered to have an Excess Long Service Leave Balance. Processes for managing an Excess Long Service Leave Balance are outlined in subclauses 44.8 and 44.9 of the Enterprise Agreement

(135) If a staff member has accumulated more than 20 weeks of long service leave, the Executive Director, Human Resources or nominee/delegate may give the staff member written notice to take up to 13 weeks long service leave at a time convenient to the needs of the University, provided that:

- a. A bona fide effort will be made to reach an agreement with the staff member on the dates the leave will be taken, but if no agreement is reached on this matter, the supervisor may specify the dates the leave will be taken, which will be no sooner than six (6) months from the date the Executive Director, Human Resources, direction. The staff member will be regarded as being on leave for the directed period and their accrued entitlement to long service leave will be reduced accordingly.
- b. The staff member will not be required to take the long service leave if they have or will enter into a pre-retirement contract after receiving the notice about Excess Long Service Leave Balance from the Executive Director, Human Resources.
- c. The minimum period of leave that a staff member will be directed to take will be two (2) weeks on full pay.

(136) A determination by the Executive Director, Human Resources under subclause 44.8 of the [Enterprise Agreement](#) will be final.

## Part H - Parental Leave Procedure

(137) Parental Leave Procedure is provided under the [Parental Leave Entitlements Policy](#) in accordance with the [Enterprise Agreement](#).

## Part I - Personal, Carers and Infectious Diseases Leave Procedure

### Personal Leave

(138) Staff (except casuals) are entitled to three (3) weeks paid personal leave for each completed year of service. Personal Leave accrues on a fortnightly basis according to ordinary hours worked and accumulates from year to year. Any unused personal leave will not be paid out on termination of employment. Further information in relation to personal leave is set out in clause 45 of the [Enterprise Agreement](#).

(139) A year of service for the purpose of clause 45 of the [Enterprise Agreement](#) is taken from the anniversary of the staff member's appointment to employment on continuing or fixed-term basis, and may be adjusted to account for periods of leave that do not count as service (i.e. periods of leave without pay/ unpaid leave).

(140) To make a request, eligible staff must provide a notice of absence directly to the supervisor/manager as soon as reasonably practicable and where possible, in the morning at the start of leave. Eligible staff must provide the supervisor/manager with information of the intended length of absence. This may be in the form of email, phone call, notification on teams platform or other suitable notifications which are required by the supervisor/manager.

(141) A medical certificate will not be required to be provided by a staff member for personal leave unless the request is for personal leave in advance of accrual, or a staff member is ill or injured for one (1) or more working days during a period of recreation or long service leave.

### Personal Leave in Advance of Accrual

(142) All continuing or fixed-term staff who have insufficient personal leave to cover a period of absence may request up to three (3) weeks paid personal leave in advance of accrual. To support this request a staff member and their supervisor/manager must undertake the following process to obtain approval of the Dean / Director of the Division and the Executive Director, Human Resources prior to the approval of paid personal leave in advance of accrual as provided in subclauses 45.2 to 45.4 of the [Enterprise Agreement](#):

- a. staff member to discuss with their supervisor/manager about the absence length and request for paid leave;
- b. supervisor/manager to confirm entitlement to paid leave and whether there is insufficient personal leave and advise staff member that they will need a medical certificate in respect of each absence;
- c. staff request for paid personal leave via ticket in ASKHR with medical certificate/s in respect of each absence;
- d. Request must be supported by the Dean or Director of the Division and supported by the Executive Director, Human Resources and Executive Director, Human Resources will seek to confirm with Dean or Director of the Division; and
- e. Executive Director, Human Resources will inform staff member of the outcome of the request and notify the staff member that any personal leave used in advance of an entitlement accruing will be deducted from any payments due to the staff member on termination.
- f. If the personal leave in advance of accrual is approved, it can then be applied for in MyHR as per the request.

(143) In the event that a staff member's employment ceases prior to returning to a positive balance the personal leave, the University will deduct the personal leave used in advance of the entitlement accruing from any amount payable to the staff member at termination.



## **Break in Service**

(144) A staff member who ceases employment with the University and is subsequently re-employed by the University after a period of no more than 12 weeks will be re-credited with any accrued untaken personal leave accumulated as at their prior cessation date.

## **Personal Leave under Workcover and TAC**

(145) If a staff member is in receipt of compensation under the [Workplace Injury Rehabilitation and Compensation Act 2013](#) (Vic) or compensation under the [Transport Accident Act 1986](#) (Vic) their absence from their employment at the University will not come from their personal leave entitlement. However, personal leave may be conditionally used by staff awaiting decision on WorkCover claims or TAC claims. Where such claims are accepted, staff members' normal personal leave entitlements are recredited (except for the first 10 days).

## **Special Leave (Unpaid Personal Leave)**

(146) Staff (excluding casuals) who is absent due to their illness or injury and has exhausted their personal leave entitlement, may request Special Leave in accordance with clause 49 of the [Enterprise Agreement](#), subject to the approval of the Executive Director, Human Resources to absences due to illness or injury, upon production of appropriate evidence.

## **Carer's Leave**

(147) Staff (except casuals) are entitled to access their accrued but untaken personal leave where they are required to provide care or support to a member of their household or their immediate family member (as defined in Schedule 10 of the [Enterprise Agreement](#)) because of an illness or injury or unexpected emergency.

(148) Casual staff, including casual professional and sessional academic staff, can take up to 14.5 hours of unpaid carer's leave, for each occasion, for the care or support of a member of their household or their immediate family member (as defined in Schedule 10 of the [Enterprise Agreement](#)) because of an illness or injury or unexpected emergency.

(149) Eligible staff (including casuals) will be required to provide a medical certificate for carers leave where the absence is in excess of three (3) consecutive days or when the absences exceed a total of five (5) days in any year of service. The calculation of five (5) days in any year of service may include absences related to other caring purposes including supporting people to affirm their gender.

(150) To make a request eligible staff (excluding casuals) must provide a notice of absence directly to the supervisor/manager as soon as reasonably practicable and where possible, on the morning of the start of leave. Eligible staff must provide the supervisor/manager with information of the intended length of absence. This may be in the form of email, phone call, notification on Teams platform or other suitable requirement which is outlined by the supervisor/manager.

(151) Staff who have exhausted their paid personal leave entitlement can take up to 14.5 hours of unpaid carer's leave, for each occasion, for the care or support of a member of their household or their immediate family member (as defined in Schedule 10 of the [Enterprise Agreement](#)) because of an illness or injury or unexpected emergency.

## **Leave to Supporting People to Affirm their Gender**

(152) Staff (except for casual staff) are entitled to access their personal leave entitlements to support an immediate family member (as defined in Schedule 10 of the [Enterprise Agreement](#)) throughout the gender affirmation process. Further information on Gender Affirmation Leave can be found in the [Transgender and Gender Diverse Staff Support Policy](#).

## Special Repatriation Leave

(153) Clause 45 of the [Enterprise Agreement](#) provides that staff (excluding casual staff) who have suffered an illness or injury due to disabilities directly resulting from war service are entitled to up to 15 days of paid special repatriation leave during each year of service.

(154) Applications for this leave will need to be supported by evidence as outlined in clause 45 of the [Enterprise Agreement](#) to be approved.

(155) Special Repatriation Leave is separate to personal leave and would not be paid out upon termination of employment.

## Infectious Diseases Leave

(156) Staff (including casuals) are entitled to full pay for the period of absence as per clause 45 of the [Enterprise Agreement](#) where they contract an infectious disease classified as notifiable to the Victorian Department of Health and Human Services or equivalent State or Territory government body or required by a medical practitioner to remain isolated due to contact with a person that has a notifiable infectious disease. For the avoidance of doubt Infectious Diseases Leave may not be used for staff who are absent due to SARS Co2 (also known as COVID) unless the Victorian Department of Health and Human Services or equivalent State or Territory government body for the state that the staff member works in, has classified it as a notifiable infectious disease. In this instance staff members should use personal leave.

(157) A medical certificate is to be provided to their supervisor/manager which includes details of the isolation due to contracting or being in contact with a person who has a notifiable infectious disease and is to include the estimated period of isolation. Staff are encouraged to provide the medical certificate as soon as practicable.

(158) Casual staff will be paid for the work they were scheduled to undertake during the period and will be paid at the applicable hourly rate.

(159) Infectious Diseases Leave is additional to personal leave entitlement.

## Infectious Diseases Leave Interaction with other Leave

(160) Subclause 45.5 of the [Enterprise Agreement](#) allows leave to be recredited if a staff member contracts an infectious disease (which is classified as notifiable to the Victorian Department of Health and Human Services or equivalent State or Territory government body) or the staff member is required to be in isolation by a medical practitioner during a period that they are on recreation leave or long service leave. Notification and evidence is required and outlined in Subclause 45.5 and the Enterprise Agreement for the recrediting of leave to be approved.

(161) Staff on unpaid parental leave or leave without pay are not entitled to Infectious Diseases Leave for the same period. Recrediting of leave will not occur in these instances.

## Indigenous Australian Kinship Carer's Leave

(162) Staff (except casuals) are entitled to up to two (2) weeks paid leave for each calendar year where they are required to care for a child under the age of 18 years as part of a Kinship Caring Arrangement (as notified by Kinship Carers Victoria or equivalent statement body outside Victoria) for the following purposes as outlined by clause 45 of the Enterprise Agreement:

- a. visits to birth parent/s
- b. visits from social worker/s
- c. attendance at court proceedings

- d. government administrative requirements
- e. or any other requirement related to the Kinship Caring Arrangement which must occur during working hours

(163) Evidence of the Indigenous Australian Kinship caring arrangement may be required by the University.

(164) Eligible staff may take paid Indigenous Australian Kinship Carers Leave in minimum of one (1) hour blocks. Eligible staff must provide notice of absence to their supervisor as soon as reasonably practicable and provide estimated length of absence to their supervisor/manager.

(165) Indigenous Australian Kinship Carer's Leave will not be paid out upon termination and will not accumulate each year if not taken.

## **Part J - Recreation and Purchased Leave Procedure**

(166) Part J provides information and sets out processes on Recreation Leave and other arrangements available to eligible staff at the University.

### **Application and Approval for Recreation Leave**

(167) Staff (excluding casuals) are entitled to four (4) weeks for each completed year of service (or pro-rata for part-time staff). Leave accrues on a fortnightly basis according to ordinary hours worked.

(168) Eligible staff may be granted up to two (2) weeks recreation leave in advance of accrual. Any leave used in advance of accruing the entitlement will be deducted from any payment due to the staff member on termination of employment.

(169) The dates for taking recreation leave need to be agreed between a supervisor or manager and their staff member prior to the leave commencing unless exceptional circumstances apply. Staff are encouraged to submit a request for longer periods of blocks of recreation leave as soon as practicable to provide supervisors and managers sufficient time to plan for leave within the team.

(170) An academic staff member is normally expected to take recreation leave where the staff member is not allocated teaching delivery activities. A Dean or delegate will not unreasonably withhold approval for such recreation leave to occur for periods where a staff member is not allocated teaching delivery activities. Academic staff must obtain approval from the Dean or delegate prior to commencing recreation leave, which will occur during a time where the staff member is allocated teaching delivery activities.

(171) Further information in relation to recreation leave entitlements are set out in clause 43 of the [Enterprise Agreement](#).

### **Managing Excessive Recreation Leave**

(172) Eligible staff are required and encouraged to take their recreation leave entitlements as leave on an annual basis. Supervisors and Managers are required to monitor recreation leave balances of staff in their teams and to ensure that regular discussions to remind staff of the importance of taking leave and discussions to plan for when staff members will access their recreation leave every year.

(173) Eligible staff who have a recreational leave balance of in excess of 6 weeks are considered to have an excess recreation leave balance. Processes for managing excess recreation leave are outlined in subclauses 43.5 to 43.7 of the [Enterprise Agreement](#).

(174) Eligible staff may be required by the University to bring their accrued entitlement to four (4) weeks leave subject to the requirements outlined in subclause 43.6 and will notify the staff member in writing and in line with the

timeframes required in subclause 43.6 of the [Enterprise Agreement](#).

## **Cashing Out Recreation Leave**

(175) Staff who seek to cash out recreation leave must first speak with their supervisor or manager. An application to cash out excess recreation leave will only be approved where the:

- a. staff member has a recreation leave balance of at least eight (8) weeks; and
- b. remaining balance after the cashed out amount (including future leave bookings) is at least four (4) weeks.

(176) The request to cash out leave must be made in writing, must have the approval of the staff member's supervisor/manager and the Executive Director, Human Resources. In determining requests, the Executive Director, Human Resources will have regard to the past and future leave arrangements of the staff member to ensure the staff member is taking appropriate breaks from work.

(177) The staff member will be paid at least the full amount that would be payable had they taken the leave however from 1 November 2024, recreation leave loading will not be paid at the time recreation leave is taken or cashed out as outlined in subclause 43.10 of the [Enterprise Agreement](#).

## **Purchased leave**

(178) Additional leave may be purchased by continuing staff and staff on fixed-term contracts greater than 12 months. In addition, applications for purchased leave may be delayed or refused by the University, if the staff member has an excessive leave balance in accordance with subclause 43.5 of the [Enterprise Agreement](#). Excessive leave balance is where a staff member has accumulated more than six (6) weeks of recreation leave.

(179) Purchased leave not taken within the specified 12-month period will be refunded as soon as practicable following the cessation of the 12-month period.

(180) Purchased leave agreements will cease and purchased leave will be paid out where a staff member goes on parental leave during the 12-month period.

(181) At the conclusion of the 12-month period, the staff member will revert to their normal salary and 52-week mode of employment unless a subsequent and separate application is made and approved.

(182) For staff employed as LTU/DJPR Researchers employed in the Biosciences Research Centre Pty Ltd (Agribio) leave may be purchased as outlined in Schedule 12 of the [Enterprise Agreement](#).

## **Part K - University Holidays and Christmas Close Down Period**

(183) Clause 41 of the Enterprise Agreement provides the recognition of public holidays referred to as University Holidays.

(184) Continuing and fixed-term staff are entitled to University Holidays where it falls on a day that they are normally required to work and will be paid to be absent from work.

(185) If the University Holiday falls on a day that a continuing and fixed-term staff member is usually required to work, a substitute day can be agreed with the staff member's supervisor/manager. In this instance, the staff member will not be entitled to any penalty payments for working on a University Holiday.

(186) If a University Holiday occurs when a staff member is on a period of paid leave (i.e. recreation leave, personal leave or long service leave), no deduction for the day the University Holiday falls will be made from accrued leave credits. If an eligible staff member is on parental leave (paid or unpaid), they will not be entitled to University Holidays

that fall during their leave period. This includes staff who are on a period of unpaid parental leave but offsetting their unpaid leave by using their recreation or long service leave entitlements. If a staff member is on any form of unpaid leave, they will not be entitled to University Holidays that fall during the leave period as provided in subclause 41.7 of the [Enterprise Agreement](#).

(187) Staff members who have elected to take Long Service Leave at half pay, and a University Holiday falls during this period will have the University Holiday paid at their substantive time fraction for the University Holiday.

(188) Professional casual staff are not entitled to payment for their absence on a University Holiday. If casual professional staff are required to work on a University Holiday, they will be paid penalty payments of double time and a half for the hours worked.

(189) Professional continuing and fixed-term staff members who agree to work on a University Holiday will be paid penalty payments of double time and a half for hours worked. This payment is not in addition to payment for the University Holiday (i.e. they will either be paid for their absence, or paid double time and a half for hours worked, but not both).

(190) Academic casual staff are not entitled to payment for their absence on a University Holiday. Academic continuing or fixed-term staff may agree to work on a University Holiday. However, Academic staff members (including casual academic staff) are not eligible for overtime or University penalty payments and work undertaken on a University Holidays is paid at their normal rate of pay.

(191) Professional Staff (except casuals) whose employment is located outside Victoria but within Australia will be entitled to public holidays in accordance with the NES only. If the number of public holidays observed in the state in which they work is less than the number of University Holidays provided in clause 41 of the [Enterprise Agreement](#), the shortfall will be added to the recreation leave accrual for the staff member.

(192) In addition to University Holidays, the University will also close for four (4) working days at the end of each calendar year as part of the End of Year Closedown. If an End of Year Closedown day falls on a day when a staff member (other than a casual staff member) is required to work, they will be entitled to be absent from work without loss of pay.

(193) Staff members (except casuals) can also substitute another day for a day that would otherwise be an End of Year Closedown day.

(194) An End of Year Closedown day is not a University Holiday. A staff member (including casual staff) who agrees to work an End of Year Closedown day will be paid ordinary time.

## Section 7 - Definitions

(195) For the purpose of this policy and procedure:

- a. [Enterprise Agreement](#) refers to the [La Trobe University Enterprise Agreement 2023](#).
- b. Immediate Family Member refers to the definition as provided in Schedule 10 and includes;
  - i. partner, former partner, child, foster child, grandchild, parent, legal guardian, grandparent, siblings of the staff member;
  - ii. child, foster child, parent, legal guardian, grandparent, grandchild, siblings of the staff member's partner or former partner;
  - iii. a relative who has taken the place of a parent;
  - iv. a person for who the staff member has caring responsibilities arising from an Indigenous kinship relationship or equivalent status to (1) - (3) above or is the Indigenous kin of the person for who they

have caring responsibilities and is accepted by the community as having an Indigenous Kinship relationship with that person.

- v. a person from a chosen family of the staff member, being a family of non-kinship bonds (whether legally recognised or not) that is based on foundations of love, understanding and acceptance, for who the staff member has caring responsibilities.
- c. For Purpose Organisation/s refers to an entity which engages volunteers. This may include community group/organisation, sporting group/organisation, political group/organisation, music/arts group/organisation, school, aged care facility and/or child care facility.
- d. NES refers to National Employment Standards provided in the Fair Work Act 2009 (Cth)  
Voluntary Emergency Management Activity where:
  - i. a staff member engages in an activity that involves dealing with an emergency or natural disaster; and
  - ii. the staff member engages in the activity on a voluntary basis; and
  - iii. the staff member is a member or has a member-like association with a Recognised Emergency Management Body; and
  - iv. the staff member was requested by or on behalf of the body to take part in the activity, or if no such request was made, it would be reasonable to expect that such as request would have been made if the circumstances had permitted the making of the request.
- e. Partner refers to spouse or de factor partner of a staff member.
- f. Staff refers to an employee of La Trobe University.

## Section 8 - Authority and Associated Information

(196) This Policy is made under the [La Trobe University Act 2009](#).

(197) Associated information includes:

- a. [Carer Recognition Act 2010](#) (Cth)
- b. [Equal Opportunity Act 2010](#) (Vic)
- c. [Fair Work Act 2009](#) (Cth)
- d. [Juries Act 2000](#) (Vic)
- e. [Long Service Leave Act 2018](#) (Vic)
- f. [Occupational Health and Safety Act 2004](#) (Vic)
- g. [Workplace Injury Rehabilitation and Compensation Act 2013](#) (Vic)
- h. [Parental Leave Entitlements Policy](#)
- i. [Family and Domestic Violence Support Policy](#)

## Status and Details

<b>Status</b>	Current
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<b>Review Date</b>	5th June 2027
<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	5th June 2024
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<b>Responsible Manager - Policy</b>	Regan Sterry Executive Director, Human Resources
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