

5.22	PERSONAL/CARERS/COMPASSIONATE LEAVE
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Applies to: All Staff
Specific responsibility: HECIS Co-Ordinator

Version: 1
Date approved: 24.5.2016
Next review date: Aug 21

Policy context: This policy relates to	
Standards or other external requirements	National Employment Standards, Fair Work Act 2009
Legislation or other requirements	
Contractual obligations	

POLICY STATEMENT

This policy sets out HECIS's employees' entitlement to personal/carer's leave and compassionate leave.

This policy sets out the manner in which personal/carer's leave will accrue to employees covered by this policy, as well as guidelines and procedures for the taking of leave.

This policy applies to all employees of HECIS, except casual employees, unless otherwise specified.

Personal/carer's leave

- Full-time employees accrue paid personal/carer's leave at the minimum amount of leave under the National Employment Standards (NES) – currently 10 days per annum per year of service.
- Part-time employees are entitled to a pro-rata amount of paid personal/carer's leave depending on their ordinary hours of work. If an individual's contract of employment provides a more generous entitlement to leave than under this policy, the more generous entitlement will apply.
- Employee's entitlement to paid personal/carer's leave accrues progressively during a year of service according to the employee's ordinary hours of work, and accumulates from year to year.
- Paid personal/carer's leave may be taken:
 - Because an employee is not fit for work because of a personal illness, or personal injury, affecting the employee; or
 - To provide care or support to a member of the employee's immediate family, or a member of the employee's household, who requires care or support because of:
 - A personal illness, or personal injury, affecting the member; or
 - An unexpected emergency affecting the member.
- If the period during which an employee takes personal/carer's leave includes a day or part-day that is a public holiday in the place where the employee is based for work purposes, the employee is taken not to be paid personal/carer's leave on that public holiday.
- Employees are not entitled to personal leave for any period of time in respect of which they are entitled to workers' compensation payments.
- Accrued but untaken personal/carer's leave will not be paid to an employee upon termination of employment.
- Where an employee is or expects to be absent from work due to illness for an extended period of time, arrangements may be made for the employee to take additional unpaid leave.

Compassionate Leave

- An employee is entitled to two days paid compassionate leave (as per the NES entitlements) for each occasion when a member of the employee's family, or a member of the employee's household:
 - Contracts or develops a personal illness that poses a serious threat to his or her life; or
 - Sustains a personal injury that poses a serious threat to his or her life; or
 - Dies.

An employee may take compassionate leave for any one of the reasons set out above if the leave is to spend time with the member of the employee's immediate family or household who has contracted or developed the personal illness or sustained the personal injury, or after the death of the member of the employee's immediate family or household.

An employee may also be entitled to unpaid carer's leave in accordance with the *Fair Work Act 2009*, or other entitlement in an employee's contract of employment.

DEFINITIONS

'Immediate family' means an employee's:

- spouse, de facto partner, child, parent, grandparent, grandchild or sibling; or
- a child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner.

PROCEDURES

The **Office Manager** is responsible for:

- ensuring that the employees' leave entitlements are recorded

The **HECIS Co-Ordinator** is responsible for:

- ensuring the process for taking personal/carers' leave or compassionate leave below are observed by the organisation.

The **HECIS Co-Ordinator** or **Office Manager** is delegated to be a supervisor of staff for this policy.

Employees are responsible for:

- ensuring they are familiar with their entitlements and duties in relation to this policy
- notifying their supervisor of any absences or expected absences in accordance with this policy
- where relevant, provide the necessary documentation as evidence of the reason for the absence and/or in support of the leave taken

Processes

- Personal/care's leave may be taken as either full days or part days (calculated pro rata for part time employees).
- Compassionate leave may be taken for a permissible occasion as one single continuous two-day period, two separate periods of one day each, or any separate periods to wish the employer and the employee agree.
- Employees must notify their supervisor as soon as practicable with regards to the taking of any paid personal/carers' leave. If possible, employees should provide notice prior to their normal time for beginning work. Employees must also provide:
 - the reason for taking the leave, and
 - the period, or expected period, of the leave.

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- Employee’s should provide required notice by contacting their supervisor by phone (either personal phone if outside normal business hours) or HECIS office phone (during normal business hours).
- Where neither the HECIS Co-Ordinator or Office Manager are contactable by phone, a text message to their private mobile or a voice message may be left with the HECIS message bank.
The employee should follow up message with a voice call to their supervisor as soon as practicable after leave has commenced.
- Employee’s seeking to take paid personal/carer’s leave may be requested to provide evidence that the employee has, or is seeking to, take the leave for a permissible reason. Generally, the following circumstances will require the employee to provide a valid medical certificate or other satisfactory evidence if the employee wishes to take paid personal/carer’s leave;
 - Absences in excess of one day; or
 - Absences in excess of four single days per anniversary year; or
 - Absences of one day or more either side of a public holiday or weekend.
- The HECIS Co-Ordinator or Office Manager may also request that employees provide satisfactory evidence of the reason for taking personal/carer’s leave or compassionate leave in some circumstances.
- A ‘valid medical certificate’ is deemed to be a certificate signed by a registered medical practitioner. Medical certificates must be signed and dated and must state the period of the absence and the reason for the absence. Certificates that have been post-dated may not be accepted in some circumstances.

DOCUMENTATION

Documents related to this policy	
Related policies	
Forms, record keeping or other organisational documents	

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Annually	HECIS Co-Ordinator	Management Committee

Policy review and version tracking			
Review	Date Approved	Signed	Next Review Due
1	14.8.17	HECIS Co-Ordinator	Aug 2018
2	3.9.18	HECIS CoOrdinator	Aug 2019
3	20.8.19	HECIS CoOrdinator	Aug 2020
4	15.9.20	HECIS CoOrdinator	Aug 2021