STAFF LEAVE

AIM

To offer a range of leave options for reasons of recreation, injury/illness or to meet personal, community and family commitments.

IMPLEMENTATION

Leadership will:

- Develop and regularly review this policy.
- Ensure cover and relief staff are organised when leave is approved.
- Ensure the leave conditions detailed below are communicated to staff.

Team Leaders will:

- Ensure educators are aware of this policy and it is implemented in their rooms.

Educators will:

- Understand leave accruals are based on number of hours worked per week and may differ from the below based on their contract.
- Abide by the following Leave conditions:

Annual Leave

Permanent full-time employees are entitled to a period of 20 days paid leave. After three months employment with the Centre, employees are entitled to five days annual leave; after six months, ten days; after 12 months, 20 days. This accrues progressively during the year of service according to ordinary hours of work & accumulates from year to year.

To make arrangements for Annual Leave, Forbes and the employee should consider the following:

- Leave requests must be submitted at least four weeks in advance, where possible.
- Leave is to be taken at a time that will be mutually convenient to both the employee and Forbes. Periods of leave will be negotiated and approved by the Director. Staff should not plan leave to coincide with the annual care and education planning day unless negotiated with the Director.
- All employees will be required to take Annual Leave of approximately seven working days over the Christmas/holiday period while Forbes is closed for business. All employees will receive at least two months notice of the period of closure.
- Annual Leave will be exclusive of public holidays.
- Payment of Annual Leave in lieu of taking Annual Leave can be made under the following conditions as per industrial requirements:
  - Staff must have four weeks of annual leave remaining after the cash out.
  - A maximum of two weeks Annual Leave can be paid out in a 12-month period.
- Employees may be directed to take annual leave if excessive amounts are accrued, provided they meet the following requirements:
  -They must have at least 8 weeks leave accrued
  -The leave must be at least 1 week long and cannot result in the employee having less than 6 weeks accrued leave left after they are directed to take leave.
  -The direction should be provided in writing to the employee.

For more information, the Child Care (South Australia) Award & NES prescribes in detail the following:

- Calculation of service including continuous service.
- Pro-rata entitlements for part-time employees.
- Time of taking leave.
- Leave allowed before the due date.
- Proportion of leave on termination.
- Close Down.
- Arrangements to be made in circumstances where leave is unable to be mutually negotiated.

Leave Loading

A 17.5% leave loading applies to all annual leave payments as per the award.

Personal/carers leave

For each year of service, a permanent full-time employee is entitled to ten days of paid personal/carers leave.

Staff can take paid personal/carers leave due to:

- Illness or injury
- To support immediate family due to illness or injury
- An unexpected emergency

Personal/carers leave accruals will not be paid out on termination of employment.

If you are unable to attend work, you must contact the Centre before or at the commencement time of your shift, or if outside of business hours, contact the Director or Assistant Director. Notification needs to be in advance, of at least one hour before the shift begins. In the case of an early shift, it is recommended that staff notify the next appropriately qualified person due to start.

If you have not notified that the absence is likely to extend beyond one day you must also notify of your absence the next day.

If the nature or sudden onset of the illness or the circumstances make it impractical to give the notice before the period begins, notice should be given no later than 24 hours after the period begins.

In cases where personal/carers leave has been exhausted, the Director may consider granting additional unpaid leave. The Director may grant unpaid leave or the use of other leave entitlements.

Staff are entitled to two days of unpaid carers leave for each occasion when a member of the immediate family is unwell or injured.

The Director has the authority to instruct a staff member to be assessed by a medical practitioner if they seem unwell and therefore unfit to actively perform their duties, or if they appear to pose a health hazard to others. The employee may either seek medical opinion to the contrary or depart the Centre and use available leave entitlements.

Medical Certificates

A medical certificate signed by your doctor is required for the following absences due to illness or injury:

- Absence of two consecutive days or longer.
- Absences of one day or longer on either side of a public holiday/ weekend/ RDO/ Leave at the discretion of the Director.
- All absences of one day or longer where all of your accumulated entitlement has previously been used.

Rostered Days Off (RDOs)

Full time staff who are rostered for a 40-hour week accrue 0.4 hours for every eight-hour shift. RDO hours are not accrued for annual leave, public holidays, sick leave, leave without pay and long service leave.

RDOs need to be negotiated with the rostering manager and employees cannot accrue more than 5 RDOs at a time and can either take 1 rostered day off at a time or a maximum of 5 RDOs at once. RDOs will be rostered each month but an employee can request a preferred day. If no preferred day is requested, the rostering manager will appoint a day off and inform the employee.

Time Off in Lieu (TOIL)

Staff members will be at times required to work additional hours outside their normal hours of work. On these occasions, they will have the option of accruing TOIL or being paid at the relevant overtime rate of pay. Further clarification can be accessed by Fairwork or by accessing the NES/ relevant award.

TOIL will be calculated as one hour of overtime equals one hour off in lieu and may be accrued as follows:

- The Director may accumulate a maximum of 20 hours TOIL, and
- All other employees may accumulate a maximum of eight hours TOIL.

The Director may request to take part or the whole of accumulated time off and be granted this within two calendar months. Upon request, all other employees must be granted time off as organised with Leadership. Team Leaders and Director will identify opportunities for employees (and themselves) to take TOIL, particularly after they have accumulated the maximum allowed. The Director will at all times make every attempt to ensure employees have less than eight hours accrued and 20 hours for themselves.

Long Service Leave
Long Service Leave is leave with pay granted to employees after a prescribed period of continuous service. In South Australia, staff qualify for long service leave of 13 weeks after ten years of continuous service. Leave should be taken at a mutually convenient time and as soon as practicable once the leave is due. A further 1.3 weeks is granted for each completed year after ten years of service.
Staff who leave or are terminated after seven complete years are entitled to the monetary equivalent of 1.3 weeks leave for each year completed.
All conditions relating to Long Service Leave are provided in the Long Service Leave Act of 1987.

Compassionate Leave
Compassionate leave is not accrued but two days paid leave are provided in each instance as follows. Staff are entitled to two days paid compassionate leave for each occasion where an immediate member of the family:

- Contracts an illness that poses a serious threat to his/her life.
- Sustains a personal injury that poses a serious threat to his/her life.
- Dies.

Parental Leave, Paternity Leave, Adoption Leave, Surrogacy Leave
The entitlements and provisions for the above leave are outlined in detail in the Child Care (South Australia) Award and the NES. The award outlines the following:

- Eligibility for leave.
- Notice requirements.
- Variation and cancellation of leave.
- Special Maternity and Sick Leave.
- Return to work after Maternity and Paternity Leave.
- Effect of leave on employment.
- Part time employees and entitlements.

Any queries regarding Parental, Paternity, Adoption or Surrogacy Leave should be made to the Director.

Jury Leave
Forbes recognises the obligations of employees to attend Jury Service. Time off on full pay will be granted as necessary. Any remuneration received for Jury Service must be reimbursed to Forbes, as stipulated in Section 70 of the Juries Act.
Leave is not granted when Jury Service falls on days or at times when the employee is not normally rostered to work. Under the NES, the employer is only required to pay the employee for the first ten days of absence. Employees called for Jury Service must inform Forbes as soon as they receive a request for service and provide details of their notifications. During Jury Service it is recommended that the employee maintain regular contact with Forbes Children's Centre.

Community Service Leave
An employee who engages in an eligible community service activity is entitled to be absent from his or her employment for a period consisting of:

- time when the employee engages in the activity;
- reasonable travelling time associated with the activity;
- reasonable rest time immediately following the activity;

The eligible community services are outlined in the NES and this time would be unpaid unless taking this as an RDO or annual leave day.

Military Leave
Employees who are members of the military reserve are entitled to a maximum of two week's leave without pay per year for requisite training. Supporting documentation is to be provided to the Director at least two months in advance to ensure staffing arrangements can be put in place.

Domestic Violence Leave

Employees experiencing domestic violence are entitled to five days' unpaid leave to seek support or undertake personal planning.

EVALUATION: This policy is viewed to be working effectively when: Staff are offered a range of leave options for reasons of recreation, injury/illness or to meet personal, community and family commitments.
Procedure Form: Leave application form.

Links to National Quality Standards:
Quality Area 4: Staffing Arrangements
4.1 Staffing arrangements: Staffing arrangements enhance children's learning and development.
4.1.1 Organisation of Educators: The organisation of Educators across the Service supports children's learning and development.
4.1.2 Continuity of staff: Every effort is made for children to experience continuity of Educators at the Service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
126	Centre-based services – general educator qualifications
135	Early childhood teacher illness or absence
151	Record of Educators working directly with children
152	Record of access to early childhood teachers
Division 5	Requirements for educators who are early childhood teachers.

Record of Policy Adoption and Amendment:

Version	Date	Details	Author	Approver
1.0	January 2011	Policy adopted.	Ocean View CC Polices	Governing Council
1.1	June 2012	Policy circulated to Policy Review Committee and staff for review and suggested amendments identified, including; • NQF regulations • Clarification of award and NES • Addition of RDO's to only be accrued up to 3	K Cook	
2.0	June 2012	Suggested amendments put to Policy Review Committee and adopted, including; • NQF regulations • Inclusion of military leave/ community service • Clarification of award and NES • Addition of RDO's to only be accrued up to 3	K Cook	Policy Review Committee
2.1	November 2014	Reformatted	P Murray	
3.0	April 2025	Addition of a maximum of 5 RDOs to be accrued and rostered days off to be assigned by manager each month. Guideline to direct staff to take annual leave	N Turnadzic	

Last Reviewed: June 2025
Next Review: June 2027

Review:
To be reviewed bi- annually by the Assistant Director and any recommended amendments endorsed by the Policy Review Committee.

Source:
Children's Services Award 2010
National Employment Standards 2010