



## AFTRS Leave Without Pay Policy and Procedure

<b>Responsible Officer</b>	Director, Corporate Services
<b>Contact Officer</b>	Head of Human Resources Payroll Manager
<b>Authorisation</b>	AFTRS Executive
<b>Effective Date</b>	1 <sup>st</sup> February 2010 Reviewed 25 <sup>th</sup> February 2011
<b>Associated Documents</b>	AFTRS Enterprise Agreement 2011 Policy on Engaging in Employment Outside the School AFTRS Administrative Orders <i>Privacy Act 1988</i> <i>Long Service Leave Act 1976</i> Various Commonwealth Superannuation legislation

### 1. Policy Name

The AFTRS Leave Without Pay for Staff Policy and Procedure

### 2. Preamble

AFTRS has always had provisions enabling staff to apply for leave without pay for personal reasons or to engage in outside, Industry related employment. The advantages for the School are being able to retain highly skilled and experienced staff by enabling:

- management of personal issues without having to resign from employment, and
- retention of Industry currency through work placements or engagements.

The last policy in relation to leave without pay was approved in March 1996. Since this time provisions allowing for this type of leave without pay have been included in successive Enterprise Agreements. There has also been a recent decision by the School's managing Executive revising the maximum allowable periods of leave.

In view of the time that has elapsed since the last policy was written, the changes in legislative requirements since then, and the evolution of School practice in this area, it was reviewed in September 2009. It has now been reviewed by the Executive again in relation to practicalities.

### **3. Policy and Procedure – Scope**

This Policy and Procedure apply to all staff. It does not address Personal Leave Without Pay, Maternity Leave Without Pay, Pre-Adoption Leave, Adoption Leave, Parental Leave Without Pay, or Defence Reservist Leave.

### **4. Definitions**

"*Staff*" means employees engaged on a temporary, fixed term or ongoing employees. It does not include casual employees.

"*Public Interest*" means the interests of the Australian Government.

### **5. Policy Statement**

With the aim of retaining highly skilled and experienced staff AFTRS will, where operationally and financially reasonable, enable staff to proceed on leave without pay to manage personal and development issues. Each application will be considered objectively on its own merits and managed confidentially in accordance with the Privacy Principles.

There is no automatic entitlement to granting of leave without pay and it will only be considered if no other leave is available for the purpose except in the case of engaging Industry related paid employment where leave without pay may be preferred. Leave without pay will not be used to retrospectively approve unauthorised absences or approved so that a staff member can take up a position with another organisation or to try out a career outside the School.

Periods of approved leave without pay will not count for service for any purpose unless otherwise stipulated in legislation, regulations or other industrial instruments.

Staff must have been engaged at AFTRS in a staff position for at least 12 months before an application for leave without pay of over one month will be considered.

The maximum amount of leave without pay that will be approved is:

- 8 weeks (total) during each employment contract period for fixed term staff applying for leave without pay to engage in Industry activities, and
- 12 months at any one time for any other purpose.

Applications from ongoing staff for leave without pay to accompany a spouse on a government posting will be considered in accordance with the public interest.

All applications for leave without pay will be responded to in writing and, if not approved, reasons will be provided.

## 6. Procedure

### I. Applicants

- a) Staff should consult with Payroll who will be able to provide them with relevant advice and information including the impact of any proposed leave without pay on recreation leave, personal leave, long service leave, superannuation and increments.
- b) Discuss the request with their immediate supervisor and complete an application for leave form (paper). This should include their reason for the request and, in the case of applications to work in Industry, clearly demonstrated the benefits to the School in terms of the additional skills and expertise to be gained and how they could be transferred to the School on their return. Documentary evidence in support of the application should be provided where possible.
- c) If an application for paid leave coincides with the application for leave without pay they should be submitted together to assist consideration of the workplace implications.
- d) Staff should not assume the application will be approved and make plans prematurely.

### II. Supervisor/Manager and Divisional Director

- a) Make an initial assessment of the application for leave. This should include consideration of any costs including employer superannuation contributions (contact Payroll for details). If the application is being supported alternate staffing arrangements should be indicated. It is expected that approving the application will be cost neutral to AFTRS.
- b) Submit the application with a recommendation to the Divisional Director who will forward the application to the Delegate with their recommendation.

### III. Delegate

It should be noted that the only delegate for any application to engage in outside employment is the Chief Executive Officer.

<i>Period of Leave</i>	<i>Delegate (current at 9.9.09)</i>
1 week	Senior Payroll Officer
2 week	Payroll Officer
1 month	Head of Human Resources
3 months	Director, Corporate Services
Longer than 3 months	Chief Executive Officer

- a) Make reasonable enquiries as to the full facts of an application.
- b) Ensure the operational efficiency of the School is maintained and costs are minimised (including employer superannuation contributions).
- c) Ensure maximum time limits are adhered to.
- d) Ensure there is no conflict of interest with the School in the case of engagement in outside employment.
- e) Forward the application and decision to Payroll. If the application is not approved this must include the reasons for the decision in writing.

#### **IV. Payroll**

- a) Advise the applicant in writing of the decision and, if the leave has not been approved, include the reasons supplied by the delegate in quote format.
- b) Process the application as appropriate and place all records on the staff member's personnel file.

#### **V. Procedures and Forms**

Leave application – available through Aurion Employee Self Service, on s:Payroll, or from the Payroll Department.

#### **7. Review**

This policy and procedure will be reviewed on the finalisation of any new Enterprise Agreement, when there are variations to related Commonwealth legislation or regulations, where Australian Government policy is changed, or when internal AFTRS practice necessitates review.