



General Leave Policy Version 1.1



1. Introduction

All employees are entitled to leave in accordance with the relevant awards or agreements and statutory provisions. Where the entitlements or practices in this document conflict, the applicable award, workplace agreement, employment contract or employment law takes precedence.

All planned leave has to be mutually agreed and take into account workloads and the employee's needs. Leave must be approved in advance, except when the employee can't anticipate the absence. Any documents regarding leave will be kept on the employee's personnel file.

Unless specified otherwise, employees referred to in this policy mean permanent full-time or part-time employees.

2. Annual leave

Each employee is entitled to a minimum of 20 days annual leave a year (pro-rata for part-time). Leave entitlements are calculated from the date they started work and accrue in accordance with workplace relations legislation or industrial instruments. Annual leave counts towards continuous service (used when calculating long service leave). Applications for annual leave need to be lodged 2 weeks in advance.

An employee is expected to take accrued annual leave for business close down periods. If insufficient leave is accrued, PVV may direct an employee to take unpaid leave.

PVV will decide on a case-by-case basis whether it will agree with an employee to 'cash out' annual leave as permitted by workplace relations legislation or any industrial instrument.

In some circumstances, leave in advance of what leave has accrued may be approved. This is conditional on the employee agreeing to the business deducting any advance in the event of termination, or to the employee accepting leave without pay.

3. Personal (sick) leave

An employee is entitled to a minimum of 10 days of personal/carer's leave every 12 months, accrued from the date of they started work. This can all be taken as carer's leave if required.

An employee must provide a medical certificate for more than one consecutive day of sick leave.

An employee should notify their manager as soon as possible if they are unable to attend work due to illness or injury.

4. Carer's leave

Carer's leave is available to an employee for the care or support of an ill family or household member or if an unexpected emergency affects a family or household member. It is typically part of personal (sick) leave and is dealt with similarly to above. An employee may be required to provide a statutory declaration in support of this leave.

Employees including casual employees are entitled to take up to two days unpaid carer's leave for each occasion of family or household member illness or unexpected emergency. An employee cannot take unpaid carer's leave if they could instead take paid carer's leave.

5. Compassionate leave

Compassionate leave is paid leave taken by an employee to spend time with a family member/member of the employee's household, who has a personal illness, or injury, which poses a serious threat to his/her life, or after the death of a family member/member of the employee's household.

Each employee is entitled to a period of two days paid compassionate leave for each occasion where a family member has died, or the employee needs to spend time with a seriously ill family member. Additional unpaid leave may be granted at management discretion.

Casual employees are entitled to two days unpaid compassionate leave for each occasion.

6. Long service leave

Employees are entitled to long service leave in line with Victorian long service leave laws (or per a relevant Award or Agreement).

7. Parental leave policy

Unpaid parental leave

Employees (including a de facto or same sex partner, or single person) who are expecting a child or adopting a child are eligible for 52 weeks of unpaid parental leave if they are:
permanent full-time or part-time with at least 12 months service prior to the expected date of birth or adoption placement
casual with 12 months regular and systemic service who have a reasonable expectation of continuing regular and systematic work

After birth or adoption, the parent with responsibility for the care of the child is entitled to unpaid parental leave. Employees who are pregnant may commence leave up to six weeks before the expected date.

Employees may request to extend their leave by a further 12 months (for a total of 24 months maximum), to be submitted in writing at least four weeks before the end of the original 12 months unpaid parental leave.

PVV will respond in writing within 21 days and may refuse only on reasonable business grounds. The written response will include details if the request is refused.

Parental Leave types:

Available Parental Leave types at PVV include:

- Parental Leave
- Concurrent Leave
- Special Maternity Leave

Parental Leave

If you are the primary caregiver of your child, you can access up to 52 weeks of Parental Leave. Parental leave is unpaid except in the instances where an employee is eligible for Parental Leave Pay in line with legislation. Parental Leave with Pay is described in full in the following section.

Concurrent Leave

Both employees of an employee couple may take leave at the same time for a maximum period of 8 weeks. This leave must be taken within 12 months of the birth or adoption of a child. The concurrent leave may be taken in separate periods. Each period must be no shorter than 2 weeks unless the employer agrees.

Special Maternity Leave

Unpaid Special Maternity Leave is available to pregnant female employees in the case of pregnancy-related illness or if the pregnancy ends within 28 weeks of the expected date of birth. The duration of this leave should be agreed with the {Business Owners} as soon as is practically possible, and any unpaid Special Maternity leave will reduce the amount of Maternity Leave you are entitled to take by the same amount.

Parental Leave Pay

Available Parental Leave Pay types at PVV include:

- Primary Caregiver Pay
- Dad and Partner Pay

Note that PVV will only make payments in line with the two types of Parental Leave Pay detailed below. Where relevant, Parental Leave Pay will be paid in line with the standard PVV pay cycles.

Primary Caregiver Pay

In line with legislation, eligible employees who are the primary caregiver may be entitled to 18 weeks paid leave, paid at the minimum wage. Please note that a child's primary caregiver is the person who is most meeting the child's physical needs. This will usually be the birth mother of a new born child or the initial primary caregiver of an adopted child, even if your child is in hospital.

This leave is not in addition to the 52 weeks parental leave mentioned above. Any periods of unpaid and paid Parental leave must not exceed 52 weeks in total.

Employees may take subsequent periods of paid Parental Leave, however, in order to be eligible for this, you must return to work and complete a minimum of 12 months continuous service following your return from any previous paid Parental Leave.

Dad and Partner Pay

If your partner is the primary caregiver of your child, you may be entitled to 2 weeks of Government funded paid Dad and Partner Pay whilst on Concurrent Leave. It is your responsibility to check your entitlement to this payment with the Department of Human Services.

Parental leave for partners

Generally, only the parent with responsibility for the care and welfare of the child is entitled to take unpaid parental leave. However, up to three weeks unpaid parental leave may be taken at the same time by both members of an employee couple, with the period of concurrent leave starting on the day of the birth (unless the manager agrees to other arrangements).

Applying for leave

An employee wishing to take unpaid parental leave must provide written notice at least 10 weeks before starting the leave (or as soon as is practicable) including the intended leave start and end dates.

Leave dates or any changes of dates must be confirmed at least four weeks before the leave starts. The manager will confirm the leave and any affected entitlements such as continuous service in writing.

Adoption

Because PVV recognises that the timing of placement for an adopted child may be uncertain, employees should keep their manager informed of any changes to the likely placement date and commencement of leave.

Annual leave

If the employee has paid annual leave available, he or she may, in agreement with the manager, take some or all of that leave at the same time as the unpaid parental leave.

Time off for antenatal appointments, adoption interviews or examinations

Personal leave may be available for attendance at medical appointments. Appointment times and the availability of leave should be discussed with the manager.

An employee may take up to two days unpaid pre-adoption leave. Employees must provide notice of the leave including expected leave period as soon as practicable (which may be after the leave has started).

If an employee requires more than two days pre-adoption leave, they should discuss their requirements with their manager.

Leave for pregnancy related illness

If an employee is ill during her pregnancy, she may access her ordinary sick leave entitlements, including any accrued leave.

If an employee experiences extended illness due to pregnancy, she can access unpaid 'special maternity leave' for the period her treating doctor certifies is necessary. Special maternity leave is included in the 52 weeks available unpaid parental leave period.

The employee must make a special maternity leave application as soon as practicable which details the period of leave required. The manager may request a medical certificate and if so, this must be provided by the employee.

Loss of a child while pregnant

If the pregnancy ends within 28 weeks before the due date without a live birth, the employee may take unpaid 'special maternity leave' for the period her treating doctor certifies is necessary. Unpaid parental leave is not available in this situation, instead special maternity leave applies.

The employee must make a special maternity leave application as soon as practicable, specifying the expected leave period and providing a medical certificate, if this is requested by the manager.

PVV will be sensitive to the personal issues associated with this type of leave.

During parental leave

Even though the employee is on leave, they will continue to be protected against discrimination as an employee.

PVV respects that some employees do not want any contact while on leave, and others do. The manager should discuss with the employee what sort of communication the employee would like while on leave and record this agreement.

While an employee is on unpaid parental leave, PVV will ensure that the employee is considered and kept informed of significant changes that may occur in the business.

Where a decision will have a significant effect on the status, pay or location of the pre-parental leave position, the PVV will take all reasonable steps to inform the employee and discuss the effect of the decision. During any restructures, employees on parental leave will be treated no less favourably than other employees and will be kept informed of the process.

If an employee has applied for less than 52 weeks unpaid parental leave, they can extend the period of leave once to take the total leave up to a maximum of 52 weeks. The employee must give at least four weeks' notice prior to the end date of the original leave period. A period of unpaid parental leave may be reduced by agreement between PVV and the employee.

An employee can resign while on parental leave, but they must give the required notice of resignation as set out in {insert award/contract/letter of offer}.

Employees should not undertake any activity during leave which is inconsistent with the employment contract, including other employment and they should remain responsible for the care of the child.

The employee's position may be filled on a temporary basis while they are on leave. PVV will notify the replacement employee that their employment in this role is temporary, and that the pregnant employee has the right to return to the position.

8. Time in lieu

PVV will grant time in lieu to an employee who is required to work outside their normal hours. Time worked towards time in lieu must be approved in advance unless exceptional circumstances exist, in which case management will consider granting approval after the time is worked.

Time in lieu will be added to the employee's annual leave. PVV will record time-in-lieu credits and debits. Generally, employee should take time in lieu in the same financial year within which they accrue it. A manager must approve time-in-lieu leave. An employee cannot accrue more than 40 hours of time in lieu.

9. Leave without pay policy

Management has the discretion to approve leave without pay that an employee is not otherwise entitled to.

10. Christmas to new year holiday period

Employees of PVV are expected to take leave during normal working days between Christmas day and new year's day. These days are given as a goodwill gesture and are not counted as part of an employee's annual leave.

11. Jury duty

An employee is entitled to paid leave for jury duty in accordance with legislation. An employee on jury service should supply the official request to attend, the details of attendance and the amount the court has paid them. PVV will reimburse the employee the difference between this amount and their base salary. If an employee is absent because of jury service of more than 10 days in total, the employer is only required to pay the employee for the first ten days of absence.

12. Emergency services leave

If an employee needs to take temporary absence from work because of voluntary emergency management activities (for example, as a volunteer dealing with an emergency or natural disaster as a member of SES, CFA or Army Reserve) then they should ask management for leave as soon as possible after they become aware of the need to take leave.

PVV will support such activities wherever possible, as an important community service. PVV may require evidence of these.

13. Leave application process

An employee must apply for leave as by completing the General Leave application form (appendix A) and submitting to the CEO for approval.

14. Record keeping

PVV will maintain leave records in the employee's personnel file.

15. Document Governance

Document Owner	David McGowan
Document Author	David McGowan
Approver	PVV Board
Approval Date	
Last Review Date	
Next Review Date	

16. Version Control

Version No	Prepared by	Release Date	Key Changes
1.0	David McGowan	16 September 2022	Initial document
1.1	Jim Hilliard	16 September 2022	Rebranding only

Appendix A



Application for Leave

Employee name	Leave type	Date start	Date end	Total days
	<ul style="list-style-type: none">- Annual- personal- Carer- Compassionate- Parental- Time in lieu- Emergency service- Jury			
Manager comments				