

HR Policy	
2.1 Leave Policy	Effective Date: 29/11/2022

Leave Policy

PURPOSE

All Lift Forklifts and Access Equipment recognises that leave is an essential entitlement of every permanent employee. Certain types of leave assist in ensuring that staff have a break and rest from the workplace and are better equipped to balance their 'work / life' commitments. For these reasons All Lift Forklifts and Access Equipment has an obligation to its employees to ensure that the correct leave type is taken and in a timely manner.

SCOPE

This policy applies to all employees of All Lift Forklifts and Access Equipment.

DEFINITIONS

Employee couple	Two employees who each work for a national system employer and are the de facto or spouse of each other. Employee couples do not have to work for the same employer to be classified as an employee couple - they merely need to be employed by a national system employer and be de facto or spouses.
Partner	In relation to Dad and Partner Pay under the Government Paid Parental Leave Scheme, means a partner of an employee who is primarily responsible for the care of a child (newly born or adopted) and includes same-sex couples.
National system employer	A national system employer is an employer to which the minimum parental leave entitlements provided in the <i>Fair Work Act 2009 (Cth)</i> (FW Act) apply.

2.1 Leave Policy

ENTITLEMENTS

The following table describes leave entitlements for permanent full-time employees per year under the *Fair Work Act 2009 (Cth)*. For part-time or fixed term contract employees, these entitlements apply on a pro-rata basis.

LEAVE TYPE	PERIOD
Annual (Recreation)	20 working days per year (accruing)
Personal	10 days per year (accruing) including sick and carers leave.
Community Service	As required
Family and Domestic Violence leave	<p>5 days per year (unpaid)</p> <p><i>Note: On 11 May 2022 the FWC introduced a provisional decision to include paid FDVL. This decision isn't finalised. On 29 July 2022 the government proposed a bill to broaden the scope of this leave effective 1/02/2023</i></p> <p>Visit here (https://www.fairwork.gov.au/leave/family-and-domestic-violence-leave) for the most updated information</p>
Long Service	Each state and territory have different LSL legislation – visit the Fair Work website: Long Service Leave .
Paid Parental	Under the NES, employees who will have at least 12 months of continuous service as at the expected date of birth of the child, are entitled to 52 weeks of unpaid parental leave. Employees who will have at least 12 months of continuous service as at the expected date of birth of the child, are entitled to 52 weeks of unpaid parental leave. Casuals with regular on-going work are also entitled to unpaid parental leave. You may request an additional

HR Policy	
2.1 Leave Policy	Effective Date: 29/11/2022

	52 weeks of leave which will only be refused by All Lift Forklift & Access Equipment on reasonable business grounds.
Paid Parental Leave Scheme (PPL) in addition Dad and Partner pay.	18 weeks if eligible Dad and Partner pay of 2 weeks <i>Note: this was correct at the time of writing, please check the Department of Human Services website for updates.</i>
Unpaid Parental / Adoption	52 weeks (unpaid)
Concurrent Parental / Adoption	Up to 8 weeks (unpaid)
Compassionate	2 days for each relevant occasion.
Leave without pay (LWOP)	Depends on individual circumstances

NEW EMPLOYEES

Employees who are within their probation period will have access to paid personal/carer’s leave commensurate with their accrued entitlement. For more information see the personal leave section of this policy.

RESPONSIBILITIES BEFORE LEAVE COMMENCES

Wherever practicable, all employees must ensure they have completed the following before leave commences:

- complete all tasks which have been assigned to them, or arrange for these to be delegated to another member of staff after consulting with the relevant supervisor;
- communicate with relevant staff of their absence, including support staff, supervisors, and other colleagues;
- Activate “out of office” email replies stating the period of absence from work and the contact details of the relevant person in their absence; and
- turn on phone diverts to relevant persons (for example, supervisor, support staff and/or persons assigned their workload for the period).

All Lift Forklifts and Access Equipment understands that the actions listed above cannot always be completed prior to absences particularly when taking personal, carers and compassionate leave and All Lift Forklifts and Access Equipment will be sympathetic to the relevant circumstances.

2.1 Leave Policy

TYPES OF LEAVE

ANNUAL LEAVE

Permanent full-time employees are entitled to four weeks (20 working days) leave per calendar year. Part-time permanent employees are entitled to a pro rata amount of annual leave and casual employees are not entitled to annual leave.

Public holidays that fall during the period of annual leave will not be counted as annual leave. Payment for annual leave is at the same rate as ordinary earnings.

Employees are responsible for monitoring their annual leave balances and should endeavour to take annual leave in the year that it accrues. Before applying for annual leave, employees must refer to their payslip or seek advice from HR Department to determine their accrued entitlement.

There is an expectation that employees will consider the timing of their leave applications and, wherever possible, annual leave should coincide with periods of low workload.

Employees are also expected to cooperate with directions by management to take annual leave from time to time.

If an annual leave application is denied by an employee's supervisor, the supervisor must provide reasons for the refusal and discuss alternative times for the leave to be taken that suit both parties.

CHRISTMAS SHUTDOWN

It is standard practice for All Lift Forklifts and Access Equipment to close for business for between Christmas and New Year each year and, depending on when those days fall relative to weekends, for a day or more prior to and afterwards. These days (exclusive of public holidays) are to be taken as annual leave. Employees will be notified by their manager mid-year of the dates of the Christmas shutdown for that year. It is important that all employees take account of these compulsory leave days when planning their leave.

PERSONAL LEAVE

Personal Leave includes Sick Leave and Carer's Leave. Permanent full-time employees are entitled to take 10 days per annum. Permanent part-time employees will be entitled to a pro-rata amount depending on the number of hours they work in a week.

2.1 Leave Policy

Personal/carer's leave accrues on a pro-rata basis and is cumulative from year to year. Personal leave is not paid out when the employee resigns or retires from the organisation.

SICK LEAVE

Sick leave is available for personal illness or injury.

Where sick leave entitlements have been exhausted, leave without pay arrangements will apply.

Employees must actively monitor their sick leave balance.

In Victoria, an employee who receives workers compensation payments for an illness or injury is **not** entitled to receive sick leave payments for **the same condition**, nor will they continue to accrue personal/carer's leave whilst receiving workers compensation payments.

EVIDENCE REQUIREMENTS FOR SICK/CARER'S LEAVE

A medical certificate is required if you are ill the working day immediately before or after a public holiday, and during the taking of annual leave or if you are absent from work for three days or more.

OR

Employees may be requested by their direct supervisor to produce a medical certificate for a period of absence from work if reasonable to do so. This might include any of the following instances (without limitation):

- where the absence occurs directly after a period of annual leave, on a day either side of a weekend, or either side of a public holiday.
- where an employee on annual leave is ill or injured during this period and wishes to claim personal/carer's leave for the period and restore their leave balance.
- where an employee is claiming carer's leave; and
- where an employee is taking planned sick leave to provide certainty around the expected dates of absence from a medical professional.

If an employee does not produce a medical certificate upon request by their supervisor, they will not be paid for personal/carer's leave and will have an option of using another type of accrued leave or can take unpaid leave.

Sick leave can be taken for a complete working day or specific number of hours. Employees may be requested by their direct supervisor to produce a medical certificate for any period of absence, even if it is a day or a certain number of hours. If the employee fails to produce the medical certificate, personal leave will not be paid.

HR Policy	 <p data-bbox="1193 286 1524 318">Effective Date: 29/11/2022</p>
2.1 Leave Policy	

UNPLANNED SICK LEAVE NOTIFICATION PROCEDURE

Where employees know that they will need to be absent from work due to a short-term illness, the employee must (where practicable):

- Notify their supervisor as early as possible:

The employee is to telephone their supervisor to advise of their condition and likely return to work date. This should be done as early as possible on the morning of their first day of absence from the workplace. If the employee cannot contact the supervisor, they should try and contact another team member.

- Advise of deadlines and pending tasks which will affect the team:

Advise their supervisor (or other staff member who is available) of what deadlines, tasks, appointments, and meetings they have which will need to be cancelled, postponed, or delegated and who should be advised of these changes.

- Office Staff/ Office Manager to be advised.

The employee taking the call from the employee (supervisor or other team member) must notify office staff / Office manager of their absence. Office Staff / Office Manager is responsible for putting an out of office message on the absent employee’s phone and/or diverting calls and placing a message on the organisation’s intranet to advise all staff with the details of the person to contact in their absence.

- Updates:

The employee must keep All Lift Forklifts & Access equipment updated of any changes to their expected return date.

PLANNED SICK LEAVE

An employee may require leave in the following instances:

- where an employee needs to undergo surgery or other medical procedure; and
- where an employee has been directed by a medical practitioner that they need to take a specified amount of time off work.

2.1 Leave Policy

Sick leave is only available if an employee is unfit for work because of illness or injury. Accordingly, the company may require an employee to take paid annual leave where the precondition for taking such leave does not exist.

Where there is enough sick leave accrued to cover the proposed absence from work:

If an employee has enough sick leave in their leave balance, they should fill out a request for leave form indicating the intended dates of the absence and expected return date. The employee and the supervisor are then to discuss whether the leave request can be accommodated at the time requested having regard to:

- the urgency and seriousness of the planned sick leave;
- the work schedule at the time leave is requested; and
- any other matter which is deemed relevant in the circumstances.

If a supervisor refuses the request, they must provide reasons immediately with the intention of finding an alternative period as close to the dates the employee requested. Once satisfied that the leave request can be accommodated, the supervisor must approve the leave application form.

WHERE THERE IS NOT ENOUGH SICK LEAVE ACCRUED TO COVER THE ABSENCE:

Where the period of sick leave extends beyond the employees accrued entitlement to sick leave, the employee is to discuss this with their direct supervisor.

Any approval of sick leave in advance will be determined on a case-by-case basis with reference to the following factors:

- the urgency and seriousness of the planned sick leave;
- the work schedule at the time leave is requested;
- whether the employee has accrued annual leave available;
- whether taking unpaid leave is a reasonable alternative;
- any other matter which is deemed relevant in the circumstances.

Where a supervisor agrees to provide sick leave in advance, the agreement must be recorded in writing and signed by the employee.

CARER'S LEAVE

Carer's leave may be taken if an employee is required to provide care or support to a member of his or her immediate family, or a member of his or her household, who requires care or support because of:

- a personal illness, or personal injury, affecting the member; or

HR Policy	 <p data-bbox="1193 286 1522 315">Effective Date: 29/11/2022</p>
2.1 Leave Policy	

- an unexpected emergency affecting the member.

An employee will be entitled to unpaid carer’s leave of up to two days on each occasion when a member of their immediate family or household requires support because of an illness or injury or because of an unexpected emergency. This entitlement only applies if the employee is not entitled to, or has exhausted their entitlement to, paid personal/carer’s leave.

The employee shall, if required, produce a statutory declaration or medical certificate establishing that the person concerned needed the employee’s care or support.

COMPASSIONATE LEAVE

Employees, including casual employees, are entitled to two days paid compassionate leave:

- for the purpose of spending time with a member of his or her immediate family or household who has contracted an illness or sustained an injury that poses a serious threat to that person’s life; or
- after the death of a member of his or her immediate family or household.

Compassionate leave may be taken as a single period of two days or as two separate days of one day each.

Extended paid or unpaid compassionate leave is to be authorised by each manager.

LEAVE WITHOUT PAY

Where possible, employees requesting unpaid leave will need to provide a month’ notice before the period of unpaid leave being requested is to commence. All Lift Forklifts & Access Equipment understands that this requirement cannot be met in all circumstances, particularly in emergencies or situations relating to an employee’s health and will be sympathetic to individual circumstances.

All employees, including casual employees, are entitled to unpaid carer’s leave to care for a member of their immediate family or household. For more information visit Unpaid carer's leave.

HR Policy	 <p data-bbox="1193 286 1524 318">Effective Date: 29/11/2022</p>
2.1 Leave Policy	

Requests for leave without pay are to be submitted to an employee’s supervisor for consideration. Supervisors will have regard to upcoming work, current projects and other work scheduling which will affect the business when making these decisions.

COMMUNITY SERVICE LEAVE

Employees have a right to unpaid leave to undertake eligible community service activities such as jury service and emergency service duties. Employees must notify the organisation of the expected period of absence as soon as practicable.

The company may require the employee to provide reasonable evidence that the absence from work is because they are engaging in an eligible community service activity.

Employees required to attend jury duty will continue to receive their regular salary payment during the period of jury service. Payment made to the employee for attending jury service must be reimbursed to the company when the employee receives jury duty payment.

FAMILY AND DOMESTIC VIOLENCE LEAVE

Family and domestic violence means violent, threatening, or other abusive behaviour by an employee’s close relative that:

- seeks to coerce or control the employee
- causes them harm or fear.

A close relative is:

- an employee's:
 - spouse or former spouse
 - de facto partner or former de facto partner
 - child
 - parent
 - grandparent
 - grandchild
 - sibling
- an employee's current or former spouse or de facto partner's child, parent, grandparent, grandchild, or sibling, or

2.1 Leave Policy

- a person related to the employee according to Aboriginal or Torres Strait Islander kinship rules.

All employees, including part-time and casual employees, are entitled to 10 days unpaid family and domestic violence leave each year.

You are required to notify your manager or appropriate person of such absence as soon as practicable which can be on the first day of your leave. The company may request reasonable supporting documentation from the police, a court, a medical professional lawyer or other reasonable form of documentation.

Unless required by law or to maintain the health and safety of an employee, the company will take reasonable and practicable steps to maintain confidentiality.

LONG SERVICE LEAVE

Long Service Leave entitlements vary across States and Territories.

For more information on Long Service Leave, please visit the Fair Work website: [Long Service Leave](#).

Supervisors of employees taking approved Long Service Leave need to prepare a strategy for covering the employee's role for the period of absence with regard to whether responsibilities can be absorbed by the team or if additional resources are required and any potential effects on current projects and future plans.

STATE	ENTITLEMENT
Australian Capital Territory	6.066 weeks on full pay after 7 years' continuous service.
New South Wales	8.6667 weeks on full pay after each period of 10 years' continuous service.
Northern Territory	13 weeks on full pay after each period of 10 years' continuous service.

HR Policy	
2.1 Leave Policy	Effective Date: 29/11/2022

South Australia	13 weeks on full pay each period of 10 years' continuous service.
Western Australia	8.6667 weeks on full pay after each period of 10 years' continuous service.
Victoria	8.6667 weeks on full pay after each period of 10 years' continuous service.
Queensland	8.6667 weeks on full pay after each period of 10 years' continuous service.
Tasmania	13 weeks on full pay in respect of the first 15 years of continuous service and 8.6667 weeks in respect of every subsequent 10 years' continuous service. (For mining workers, the entitlement is 13 weeks in respect of every 10 years of continuous service.)

REFERENCE DOCUMENTS

- Leave Application form
- Modern Awards
- National Employment Standards

Effective date:	29/11/2022
Author:	Natalia Turner, HR Manager
Approved by:	Dean Kretchmer, Managing Director
Next review date:	29/11/2023

HR Policy



2.1 Leave Policy

Effective Date: 29/11/2022