

## **Leave Policy of Marcoola Surf Club**

### **1. Purpose**

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- 1.1 This leave policy outlines Marcoola Surf Club's (the club) expectations for all employees of the club who are seeking to access leave.

### **2. Scope**

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- 2.1 This policy sets out the types of leave available to employees and the method/requirements to take the leave sought.
- 2.2 Casual, full-time and part-time employees are entitled to certain types of paid and unpaid leave. Including:
- (a) Annual leave;
  - (b) Personal/Carer's leave;
  - (c) Compassionate leave;
  - (d) Long service leave; and
  - (e) Family and domestic violence leave.
- 2.3 This policy will be made available via <https://www.marcoolasurfclub.com.au/staff-portal/>.

### **3. Applying for Leave**

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- 3.1 For all leave, other than personal/carer's, compassionate leave or family and domestic violence leave, employees are required to apply for such leave no later than four (4) weeks prior to when the leave sought is to be taken.
- 3.2 The application must be made in writing to the employee's immediate Supervisor.
- 3.3 Once the club has received the application, the employee will be notified of the decision within a reasonable timeframe.

### **4. Personal/Carer's Leave and Compassionate Leave**

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- 4.1 All employees are entitled to personal/carer's leave and compassionate leave. However, casual employees are only entitled to unpaid personal/carer's leave and compassionate leave.
- 4.2 Full-time employees will accumulate 10 days paid personal/carer's leave each year. Part-time employees will accumulate pro rata of 10 days paid personal/carer's leave per year, depending on their hours of work.
- 4.3 Compassionate leave does not accumulate and is not deducted from the employees personal/carer's leave balance.

#### **4.4 Taking Personal/Carer's Leave and Compassionate Leave**

- 4.5 Personal/carer's leave is available for employees that are unable to attend work due to sickness, caring responsibilities or family emergencies for an immediate family or household member.
- 4.6 Compassionate leave is available for employees that are unable to attend work when an immediate family or household member dies or contracts a life-threatening illness or injury.

- 4.7 An Employee seeking to take personal/carer's leave and compassionate leave is required to notify their Supervisor on duty as soon as practicable and when possible provide at least **two (2) hours'** notice prior to the shift commencing, so alternative rostering arrangements can be made.
- 4.8 Where an employee seeks to take personal/carer's leave and compassionate leave, the club may request that the employee provide evidence of the need to take the leave sought, such as a medical certificate.
- 4.9 An employee seeking to take paid personal/carer's leave will not receive payment for the leave until satisfactory evidence is provided, when requested.

## 5. Annual Leave

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- 5.1 Annual leave is provided for in the National Employment Standard (NES) and does not apply to casual employees.
- 5.2 For the purpose of the additional week of leave provided by the NES, a shift worker means a seven-day shift worker who is regularly rostered to work on Sundays and public holidays, and includes a club manager.
- 5.3 **Taking Annual Leave**
- 5.4 **Reportable conduct** In accordance with the *Registered and Licenced Clubs Award 2010* 'the Award':
- (a) the club may require the employee to take annual leave by the giving of at least **four (4) weeks'** notice to take annual leave as part of a close-down of its operations; or
  - (b) the club may require the employee to take annual leave by the giving of at least **eight (8) weeks'** notice to take annual leave where more than eight (8) weeks of leave has been accrued by the employee, in accordance with clause 30.5 and 30.6 of the Award.
- 5.5 Annual leave can only be taken in advance with the consent of both the employee and employer via written agreement, in accordance with clause 30.8 of the Award.

## 6. Cashing Out Annual Leave

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- 6.1 Reportable Annual leave cannot be cashed out unless a written agreement is made between the employee and employer in accordance with clause 30.9 of the Award.
- 6.2 An employee cannot cash out annual leave if it would result in the employee's annual leave balance falling below four (4) weeks.
- 6.3 The maximum amount of accrued paid annual leave that may be cashed out in any period of 12 months is two (2) weeks.
- 6.4 If an agreement is reached to cash out a particular amount of accrued leave, the written agreement must state the following:
- (a) The amount of leave to be cashed out and the payment to be made to the employee for it; and
  - (b) The date on which the payment is to be made.

## 7. Long Service Leave

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- 7.1 The entitlement to long service leave is based on a qualifying period of continuous service.

- 7.2 Full-time employees are entitled to access 8.6667 weeks of paid long service leave after a period of 10 years' continuous service.
- 7.3 Casual and part-time employees also qualify for long service leave after 10 years of continuous service. The long service leave entitlement is pro-rata and is calculated based on the number of ordinary hours completed by the employee for the total period of employment.
- 7.4 **Taking Long Service Leave**
- 7.5 In accordance with the *Industrial Relations Act 2016 Qld*, an employee can take long service leave when the employee and employer agree such leave can be taken.
- 7.6 If the employer and employee cannot agree when the long service leave is to be taken, the employer may:
- (a) Decide when the employee will take the long service leave; and
  - (b) Give the employee at least **three (3) months** written notice of the date on which the employee must take at least **four (4) weeks** long service leave.

## **8. Family and Domestic Violence Leave**

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- 8.1 Each year, an employee (including full-time, part-time and casual) is entitled to **five (5) days' unpaid** leave to deal with family and domestic violence.
- 8.2 The entitlement to **five (5) days' unpaid** leave is available in full at the start of each 12 month period of the employee's employment and the leave does not accumulate from year to year.
- 8.3 In circumstances where the employee requires more than **five (5) days' unpaid** leave, the employer and employee may agree that the employee may take additional unpaid leave to deal with family and domestic violence.
- 8.4 **Taking Family and Domestic Violence Leave**
- 8.5 An employee may take unpaid leave to deal with family and domestic violence if the employee:
- (a) Is experiencing family and domestic violence; and
  - (b) Needs to do something to deal with the impact of the family and domestic violence and it is impractical for the employee to do that thing outside of their ordinary hours of work.
- 8.6 **Notice and Evidentiary Requirements**
- 8.7 If requested by the club, an employee must provide evidence that would satisfy a reasonable person that the leave is taken for the purpose of family and domestic violence. Such evidence may include:
- (a) A document issued by the police service;
  - (b) A document provided by the court or family violence support service; or
  - (c) A statutory declaration.

## **9. Confidentiality**

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- 9.1 The club will take all steps to ensure information concerning any notice an employee has provided or evidence to support the request for such leave is treated confidentially, as far as it is reasonably practicable to do so.
- 9.2 Nothing in clause 6 of this policy prevents an employer from disclosing information provided by an employee if the disclosure is required by Australian law or is necessary to protect the life, health or safety of the employee or another person.

**Last reviewed:** Jun 2022