



LEAVE
**PERSONAL/CARER'S LEAVE/SICK LEAVE, UNPAID CARER'S LEAVE,
COMPASSIONATE LEAVE, ANNUAL LEAVE , FAMILY & DOMESTIC VIOLENCE
LEAVE OR PARENTAL LEAVE**

The purpose of this policy is to define when workers are eligible for leave or paid leave and to outline the process for requests, approvals, and administration of annual, personal, and other leave.

This policy needs to be read in conjunction with the Electrical Contracting Award (WA) and applicable collective agreements.

To the extent of an inconsistency between terms of this policy and the conditions of your award or agreement as identified by your contract of employment, the terms, and conditions more favorable to the worker will prevail.

Outline of Hender Lee Electrical Contracting Pty Ltd (HLE) provision of leave which is designed for:

- Periods of rest and relaxation
- Annual Leave, personal/carer's leave, parental leave, compassionate /bereavement leave/Family & Domestic Violence Leave

The objective of this policy is to ensure that Workers are aware of leave entitlements, discretionary leave provisions and responsibilities.

Annual Leave

Amount of Leave

You are entitled to four (4) weeks of annual leave each year in accordance with the provisions of the Electrical Contracting Award (WA)

Taking of leave and Scheduling Considerations

HLE encourages you to take all your holiday entitlement in the current year. You are encouraged to take annual leave over one or two continuous periods as to provide a meaningful break from work. Annual leave dates will be on a "first come, first served" basis whilst ensuring that operational efficiency and appropriate staffing levels are maintained.

Employee leave accruals will be monitored by management to ensure that excessive leave is not accrued. Management will liaise on a regular basis with the relevant Manager/Supervisor and advise of the those workers that have exceeded 6 weeks accrued leave. If you wish to accrue more than six weeks of annual leave, you must seek approval from General Manager. Otherwise employees may be instructed to take any excess leave at a time outlined by the company.

Notice Requirements

Except in the case of mutual consent to the contrary, the employee and company are required to give the following notice to take annual leave:

Period of leave to be taken	Minimum notice requirement
Less than a week	By agreement with management
1 week	3 weeks
Over 1 week and up to 2 weeks	6 weeks
Over 2 weeks and up to 3 weeks	8 weeks
Over 3 weeks and up to 4 weeks	10 weeks
Over 4 weeks	12 weeks

Annual Leave Requests and Approvals Process

You must complete the annual leave request form and have it signed by

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your supervisor before you make any firm holiday arrangements. If prior approval is not sought before firm holiday arrangements are made then HLE is under obligation to approve leave if the required process is not followed. It is the responsibility of your supervisor/manager to forward the completed form to the payroll department.

Close Down

HLE may choose to shut down whole or part of its operations over the Christmas/New Year period (and under normal circumstances does) . If we do, you are required to reserve sufficient days from your annual leave entitlement to cover the Christmas/New Year period. If you have not accrued sufficient holiday entitlement to cover this period, you will be given unpaid leave of absence. HLE commits to provide reasonable notice of any planned close down.

Payment of Annual Leave

Annual Leave payment will be at your normal basic pay unless shown otherwise in your contract of employment. By request, you may elect to receive your annual leave pay in advance, however if the request is not received prior to commencement of the annual leave being taken, you will be paid in the regular pay period. You may be entitled to annual leave loading in accordance with your industrial instrument or employment contract.

You may also request to 'cash out' your accrued annual leave entitlements which will be subject to approval from the General Manager. However, at all times you must have at least 4 weeks of leave in balance. The worker must give at least 2 weeks' notice to payroll prior cashing out of any annual leave.

Personal/Carer's Leave/Sick Leave

Employees, other than casual employees, are entitled to accrue 10 days of paid sick/personal/carers' leave per year

Personal/Carers leave accrues progressively during a year of service based on the ordinary hours of work of any employee and is paid at the employee's bas rate of pay.

Employee can access personal/carers' leave in the following circumstances:

- the employee is not fit for work because of a personal illness or injury or;
- the employee is providing care or support to a member of the employee's immediate family or household, who requires care for support of:
 - a personal illness, or personal injury, affecting the member; or
 - an unexpected emergency affecting the member

If your entitlement to personal leave is exhausted, you may take two days unpaid carer's leave for each occasion when a member of your immediately family or a member of your household requires your care and support because of:

- a sudden or unexpected personal illness or personal injury affecting the employee; or
- a sudden or unexpected emergency affecting the employee.

The Fair Work Act defines 'immediate family' as:

- [a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or](#)
- [a child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner](#)

Notification of Personal (Sick) Leave

Employees are required to speak directly to their manager, supervisors on the first day of incapacity or in their absence the General Manager. If neither of these persons are available, the payroll department is to be advise of the inability to attend work.

Other than in exceptional circumstances, notification should be made personally to your supervisor/manager. You should try to give an indication of your expected





return date and notify HLE as soon as possible if this date changes. The notification procedures should be followed on each day of absence, unless you are covered by a doctor's medical certificate/ statutory declaration for specific dates and that has been issued to HL. Doctors medical certificate or the statutory declaration must contain the AHPRA number of the doctor or the registration number for the statutory declaration.

Evidence of Incapacity

HLE requires sufficient evidence to support your sick/personal/carer's leave for each and every absence. In particular, a medical certificate or where it is not reasonably practicable to provide a medical certificate a statutory declaration may be provided this is required if:

- you take 1 day or less; or
- take a day on either side of a weekend or public holiday; or
- take a day off either side of any approved annual leave, long service leave or any other leave

HLE may also request that you provide sufficient evidence for those purposes where it considers you have taken excessive personal leave or patterns of leave.

If you fail to provide medical certificate of statutory declaration in accordance with above, you may not be paid for your absence and may be subject to disciplinary action. Upon receipt of your medical certificate/statutory declaration, Payroll will be notified to process any amounts owing for your wages.

Return to Work

You must notify your manager/supervisor as soon as you know of which day you will be returning to work, if this differs from a date of return previously notified. On return to work after any period of personal leave, you may be required to attend a return-to-work interview to discuss the state of your health with the strictest of confidence. You will be required to complete personal/carer's leave form.

Compassionate/Bereavement Leave

HLE understands that health of an individual or family member can have significant impact on you. Full-time and part-time employees are entitled to two (2) days paid compassionate/bereavement leave for each occasion when a member of your immediate family or member of your household:

- contracts or develops a personal illness that poses a serious threat to their life; or
- sustains a personal injury that poses a serious threat to their life; or
- dies

Immediate family includes:

- a spouse or domestic partner (including a former spouse or former domestic partner) of the worker. A domestic partner means a person to whom the employee is not married but with whom the employee is living as a couple on a genuine domestic basis (irrespective of gender); and
- a child or adult (including an adopted child, a stepchild or an ex nuptial child), parent, grandparent, grandchild or siblings of the employee or spouse of the employee.

Parental Leave

Employees who have completed twelve (12) months continuous service (other than casual employees) are eligible for 12 months unpaid parental leave if the leave is associated with birth or adoption of a child. Casual employees are eligible once they have been engaged on a regular and systematic basis for at least twelve (12) months and have a reasonable expectation of ongoing employment.

In addition, employees have the right to request a further twelve (12)





months of unpaid leave, up to a total period of Twenty Four (24) months.

An employee must provide written notice of the intention to take unpaid parental leave at least 10 weeks before starting the leave, or as soon reasonably practicable. The notice must specify the start and end dates of the leave.

Parental leave allows employees to take time away from work for the birth or adoption of a child and care of a child.

There are two types of parental leave entitlements:

1. the Paid Parental Leave Scheme
2. the entitlement to unpaid parental leave

Paid Parental Leave (PPL)

The federal government's Paid Parental Leave (PPL) scheme provides employees payment for the leave for up to 18 weeks at the national minimum wage rate.

PPL can start from the date of the birth or adoption, or at a later date. It must be received in on continuous period and must all be used within 12 months of the date of birth or adoption. PPL is taxable and can be received before, after, or at the same time as existing entitlements., such as annual leave.

All applications for federally funded PPL should be made through the Family Assistance Office or any other nominated Government Department and not through the employer. You may obtain further information regarding PPL by contacting the Family Assistance Office on 13 61 50.

Family and Domestic Violence Leave

Family and Domestic Violence is violence, threatening or other abusive behavior by a close relative of an employee that seeks to coerce or control the employee and causes the employee harm or to be fearful. A close relative of the employee is a person who is a member of the employee's immediate family; or is related to employee according to Aboriginal or Torres Strait Islander kinship rules.

Immediate family is a spouse, de fact partner, child, parent, grandparent, grandchild, or siblings of the employee; or a child, parent, grandparent, grandchild, or sibling of a spouse of de facto partner of the employee.

Employees, including casuals, are able to access 10 days paid family and domestic violence leave within a twelve (12) month period. (this excludes workers within small businesses)

Taking Family & Domestic Violence Leave

An employee may take family and domestic violence leave if:

- the employee is experiencing family and domestic violence
- the employee 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 required thing outside of the employees' ordinary hours of work.

Payment of Family & Domestic Violence Leave

From the effective date, full time and part time employees are entitled to the be paid at their full rate of pay for the hours they would of worked if the leave was not taken. Casual employees are entitled to be paid at their rate of pay for their rostered hours in the period when leave was taken.

Full Rate of pay includes:

- loadings
- overtime and penalties (if any)
- incentive-based payments and bonuses
- monetary allowances



Evidence of Family & Domestic Violence,

Employees are required to provide supporting evidence if FDV leave is accessed. Examples include: documents issued by the police, a court, legal service, health professional, counsellor or refuge service.

Where it is not reasonably practicable to provide documentation, a statutory declaration may be acceptable.

Documentation is to be retained by the employee only and treated as confidential by HL. The line manager records that documentation has been sighted. Leave may be granted without supporting evidence where the line manager is satisfied as to the reason for leave.

Employees may have difficulty meeting notifications of absences due to their circumstances; however, notification should occur as soon as is practicable

Other Leave

Community Service Leave

You are entitled to community service leave in certain circumstances. Community service leave is for eligible community service activities such as SES, Jury Duty and volunteer fire fighting.

The first two weeks of jury duty leave will be paid leave at the employees' normal base rate only of pay by the company (*the worker shall assist the company in compiling details for the **Employer Jury Service Claim form** on return to work*), community service leave is unpaid.

Long Service Leave

You are entitled to long-service leave in accordance with the relevant laws of the state in which you are employed or the terms of your industrial award. Long service leave should be taken as soon as reasonably practicable after you become entitled to it. The worker must give four (4) weeks' notice to payroll, which they intend to take any period of long service leave.

We seek the cooperation of all employees to achieve the aim of this policy.

A handwritten signature in black ink, appearing to read 'Allan Hender'.

Allan Hender, Managing Director

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