

People & Culture Leave Types and Entitlements

Procedure

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TARGET AUDIENCE and SETTING

This procedure applies to all Monash Health Employees as defined. Please refer to the procedure throughout for exceptions for Casual Employees. This procedure does not apply to volunteers.

PURPOSE

Monash Health provides fair and reasonable remuneration and benefits which attracts and retains people and encourages skill enhancement and flexibility.

Monash Health provides Employees with the opportunity to take paid and unpaid leave on a regular basis to promote the wellbeing of employees and their families, encourage development of skills and learning and to enable flexibility to manage work/life balance.

This procedure must be read subject to the Relevant Industrial Instrument (Award, Enterprise Agreement or Contract of Employment) that covers the employment of the Employee. Where there is a conflict between this policy and the Employee’s Relevant Industrial Instrument, the Relevant Industrial Instrument prevails to the extent of any inconsistency. This procedure does not form part of any contract of employment and Monash Health may vary this procedure in its full discretion from time to time.

Non-compliance with this procedure may constitute misconduct and in some circumstances serious misconduct, and appropriate action may result (for Employees, this may involve disciplinary action up to and including termination of your employment).

Employees on extended leave will retain Information and Technology access and Security access unless changed by their Manager. Managers should review access of employees on extended leave and change where appropriate.

DEFINITIONS

Accrued Leave: means the amount of leave owing to the employee at any given point in time.

Casual Employee: the definition of casual employee for the purposes of this procedure is consistent with the definition at section 15A in the Fair Work Act 2009 (Cth) and includes any person who is made an offer of employment without any firm advance commitment to continuing and indefinite work according to an agreed pattern of work, and the person accepts the offer on that basis, and the person becomes an employee as a result of that acceptance.

Employee: for the purposes of this procedure includes permanent (full-time or part-time) or fixed term employee of Monash Health or any subsidiary company of Monash Health. The procedure will specify any exceptions and where there is an entitlement for Casual Employees.

Immediate Family: means an employee’s:

- spouse or former spouse, de facto partner or former de facto partner, child, parent, grandparent, grandchild, sibling; or a
- child, parent, grandparent, grandchild or sibling of the employee’s spouse or de facto partner (or former spouse or de facto partner); and includes step-relations, for example step-parents and step-children, and adoptive relations.

Monash Health means Monash Health or any subsidiary company of Monash Health.

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PROCEDURE

A. Accrued Days Off

Accrued Days Off (ADOs) are a flexible employment opportunity which is designed to assist Employees in maintaining work/life balance.

Eligible Employees may have an entitlement to accrue ADOs in accordance with the terms of their Relevant Industrial Instrument. Generally an eligible Employee will be a full time employee who is engaged to work 38 ordinary hours per week or an average of 38 ordinary hours per week.

Managers may ask Employees to nominate the days on which they would like to take ADOs 6 to 12 months in advance so that they are able to arrange the rosters and manage operational needs. Where possible, Employees' preferences will be accommodated. Employees may only take ADOs as full days. In exceptional circumstances it may be agreed to allow an ADO to be taken as a half day. ADOs taken must be recorded on Kronos or, where the Employee is on Autopay, an Autopay Adjustment form must be submitted.

Employees are encouraged to use their ADOs for their own wellbeing and to ensure they are receiving sufficient rest. ADOs should be taken as they are accrued or as soon thereafter as practicable. Employees should not accumulate more than two ADOs at any time. Where an Employee has accrued more than two ADOS, they may be directed to reduce their accrued ADOs within a reasonable timeframe. Where approved in advance, an Employee may incur a negative ADO balance of up to 10 hours. Employees cannot cash out ADOs.

Public holidays

Where an Employee's ADO falls on a public holiday, the day will be recognised as a public holiday and the Employee should arrange with their manager to take the ADO on an alternative day as soon as practicable.

There is no accrual towards an ADO balance during a period of annual leave or long service leave.

Ceasing ADOs

Employees who vary their employment status to part time or casual are no longer eligible to accrue ADOs and their manager must submit an e-Variation form to cease the ADO accrual. When this occurs, Monash Health will pay out an Employee's accrued ADOs.

Where an Employee's contract of employment is terminated, including through resignation, and the Employee has a negative ADO balance, the equivalent balance will be deducted from the Employee's annual leave entitlement or in cases where the annual leave balance is insufficient it will be treated as an overpayment. Where the Employee has an ADO owing to them, managers will make every effort to enable the Employee to take the ADO prior to their final day of employment or alternatively to allow the Employee to finish one day early in recognition of the last day being the ADO. However, Monash Health may elect to pay out an Employee's accrued ADOs at the appropriate rates in accordance with the Relevant Industrial Instrument.

B. Annual leave:

Annual leave will accrue and be granted in accordance with the terms of the Relevant Industrial Instrument. Casual Employees are not entitled to annual leave unless granted by a Relevant Industrial Instrument.

Annual leave applications must be submitted and approved in advance of the leave being taken. Employees should submit their leave application through Kronos. Applications should be submitted at

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least four weeks in advance. Employees must have prior management approval before taking annual leave. Any leave taken without prior approval will be deemed unauthorised leave and may be grounds for disciplinary action in accordance with Monash Health’s policies and procedures as well as the Relevant Industrial Instrument

Annual leave does not accrue during any period of unpaid leave unless otherwise specified in a Relevant Industrial Instrument.

Leave in advance may be approved for Graduate Nurses, Junior Medical Staff and Support Service Trainees that are employed on a fixed term contract and required to have their annual leave rostered in advance for operational reasons. In these circumstances the Employee agrees to Monash Health deducting a payment for any annual leave taken in advance in the event of termination prior to accrual.

Any other annual leave in advance may only be approved in line with the delegation for Annual Leave Approval as outlined in the Monash Health Delegation Schedule.

Employees may take other types of leave, such as personal leave or compassionate leave, whilst on annual leave subject to the provisions of their Relevant Industrial Instrument.

Excess annual leave

Employees are encouraged to take annual leave for their own wellbeing and to ensure they are receiving sufficient rest. Generally Employees should not accrue a balance of more than one year’s worth of annual leave accrual unless permitted by a Relevant Industrial Instrument. Managers have a responsibility to monitor Employee annual leave accruals and ensure that excess annual leave balances do not accrue. Excess annual leave should be managed in accordance with the Relevant Industrial Instrument.

Where the Relevant Industrial Instrument does not contain provisions in relation to excess annual leave, the following procedure may apply:

- Monash Health has defined excess annual leave as an excess of two years’ accrued leave
- Where an Employee has accrued excess annual leave, the manager will notify the Employee in writing and request the Employee to complete an [Excess Annual Leave Plan](#) to reduce the excess annual leave. The Excess annual leave plan is to be signed by both the manager and the Employee.
- The excess annual leave may be reduced in accordance with the following timeframes:
 - i. within 6 months of written notification where the Employee has an excess of two years’ accrued leave ; or
 - ii. within 12 months of written notification where the Employee has an excess of three years’ accrued leave.

Cashing out annual leave

Employees with excess annual leave may have an entitlement to cash out annual leave in accordance with their Relevant Industrial Instrument. A balance of at least four weeks’ annual leave must remain after an Employee cashes out any annual leave.

Managers are encouraged to agree with the Employee who is cashing out annual leave that a concurrent period of annual leave is taken to enable the Employee to maintain their work/life balance and personal wellbeing. Where a concurrent period of annual leave is not taken, a period of annual

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leave must be taken within the next six months. This planned leave must be recorded on an [Excess Annual Leave Plan](#) that is signed by both the manager and the Employee.

Employees cashing out annual leave will be paid the amount that would have been payable to them if they had taken the leave, including annual leave loading and superannuation contributions in accordance with the Superannuation Guarantee legislation. The payments will be taxed as payments made in addition to normal salary and wages in accordance with Australian taxation legislation. Employees may contact Payroll Services for further information and may wish to consider seeking independent financial advice.

In order to cash out annual leave, the employee must:

1. Complete the [Cashing Out Authority Form](#) and submit it to their manager.
2. Where the manager approves the request, the manager must seek authorisation in line with the Monash Health Delegation Schedule and, if approved, distribute the form as per the instructions contained therein.

C. Community Service Leave (Emergency Management Activity, Jury Service)

Employees, including Casual Employees, are entitled to be absent from work for the purpose of performing certain community service activities such as:

- a voluntary emergency management activity; and
- jury service (including attendance for jury selection) that is required by or under a law of the Commonwealth, a State or a Territory.

There is no limit on the amount of community service leave an Employee is entitled to take.

Employees who wish to take advantage of community service leave must give their manager:

- notice of the absence as soon practicable;
- the period or expected period of absence; and
- evidence that would satisfy a reasonable person that the Employee is entitled to the leave because they have or will be engaging in an eligible community service activity.

Voluntary Emergency Management Activity

Voluntary Emergency Management Activity leave is unpaid, however, Employees may access their accrued leave entitlements to cover periods of leave. In some instances an Employee may have an entitlement to paid emergency management leave in accordance with their Relevant Industrial Instrument.

An Employee engages in a voluntary emergency management activity only if they:

- engage in an activity that involves dealing with an emergency or natural disaster; and
- the Employee engages in the activity on a voluntary basis; and
- the Employee is a member of, or has a member-like association with, a recognised emergency management body; and
- either:

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- i. the Employee was requested by or on behalf of the body to engage in the activity; or
- ii. no such request was made, but it would be reasonable to expect that, if the circumstances had permitted the making of such a request, it is likely that such a request would have been made.

A recognised emergency management body includes bodies such as the State Emergency Service (SES), Country Fire Authority (CFA) or the RSPCA (in respect of animal rescue).

An Employee is entitled to be absent from their employment for the time that the Employee is engaged in the eligible community service activity, including reasonable travelling time associated with the activity, and reasonable rest time immediately following the activity if the absence is reasonable in all the circumstances.

On completion of the voluntary activities, the Employee must submit a written statement from the recognised emergency management body concerned detailing the nature and duration of the emergency, and the period of time during which the Employee's services were required.

Jury Service

Employees are entitled to paid jury service leave in accordance with their Relevant Industrial Instrument. Where the Relevant Industrial Instrument does not contain a jury service leave entitlement, the Employee's entitlement will be in accordance with the *Fair Work Act 2009* (Cth).

Monash Health requires the Employee to provide evidence that would satisfy a reasonable person:

- that the Employee has taken all necessary steps to obtain any amount of jury service pay to which the Employee is entitled; and

the total amount of jury service pay that has been paid, or is payable, to the Employee for the period (even if there was no jury service payment).

D. Conference Leave

Some Relevant Industrial Instruments contain provisions for paid or unpaid conference and seminar leave which enables the Employee to attend conferences, workshops or seminars that are directly relevant to their role or education.

Employees should submit their leave application through Kronos or in writing using the Leave Form prior to the commencement of leave. Approval is at the discretion of the relevant manager.

E. Compassionate leave

Subject to the terms of any Relevant Industrial Instrument, all Employees are entitled to a period of two (2) days' paid compassionate leave for each occasion in accordance with the Fair Work Act 2009 (Cth) when a member of an Employee's Immediate Family or household dies or suffers a life-threatening illness or injury. This includes where an employee, or an employee's current spouse or de facto partner has had a miscarriage. For the purposes of compassionate leave, miscarriage is defined as the spontaneous loss of the embryo or foetus before 20 weeks' gestation.

Employees on unpaid parental leave are also entitled to compassionate leave if they experience a stillbirth or death of a child during the first 24 months of life. Another employee may also be entitled

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to take compassionate leave if the infant was, or would have been, an immediate family or household member of the employee. The two (2) days may be taken as a single continuous two day period, or two separate periods of one day each or otherwise as agreed. This entitlement also extends to Casual Employees however they will not be paid for the leave. Additional unpaid leave maybe granted at management discretion.

An Employee must provide notice to their manager as soon as practicable of their intention to take compassionate leave and the period, or expected period, of the leave.

Monash Health may reasonably request evidence that would satisfy a reasonable person of an Employee's entitlement to the leave. This may be in the form of a death notice or statutory declaration.

An Employee who has not complied with the notice and evidence requirements may not be entitled to take compassionate leave.

F. Defence Force Reserve Service Leave

Employees, including Casual Employees, who are members of the Australian Defence Force (ADF) Reserves are entitled to be absent from work for the purpose of attending ADF Reserves duties and activities. Employees may have additional applicable rights and protections under the *Defence Reserve Service (Protection) Act 2001* or their Relevant Industrial Instrument.

Employees should advise their manager in writing at the time of commencing employment that they are a member of the ADF Reserves, or when they first become a member of the ADF Reserves if they are already employed, and the manager should forward this to Payroll Services to be placed on the Employee's file.

An Employee who is a member of the ADF Reserves may be granted in any year 14 days' leave of absence for the purpose of attending an annual training camp, and a further four (4) days may be granted for the same purpose on the certification of the Commanding Officer of the particular service unit concerned that such additional days are required. For permanent Employees, make-up pay will be paid on these periods of absence, being the difference between the ADF Reserves pay and the Employee's ordinary rate of pay. While Casual Employees are entitled to take the time required to meet the needs of the ADF Reserves, this leave will not be paid leave.

An Employee is required to inform their manager as soon as possible of the date they are required to attend for ADF Reserves duties. Where possible, an Employee is expected to provide at least four weeks' notice of their need to take Defense Leave.

A leave form will need to be completed by the Employee, together with evidence of any payment made by the Defense Forces. Authorisation and approval for an Employee's release from duty will be the responsibility of the relevant manager. Where an Employee does not have an entitlement to paid leave, they may elect to access their other leave entitlements such as annual leave to cover periods of leave.

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G. Discretionary / Paid Special leave

Discretionary or paid special leave allows managers the flexibility to grant leave in exceptional circumstances at their discretion. This leave is granted purely in Monash Health’s discretion in line with the Monash Health Delegation Schedule.

Such leave is considered on a case by case basis. Approval in one particular situation within Monash Health will not constitute a precedent for another situation or general approval.

Examples where applications for discretionary/paid special leave may be approved include:

- Tragic circumstances - such as the loss of an immediate family member and the Employee requires more time to recover but they have exhausted their accrued personal leave;
- Where an Employee is diagnosed with a serious illness and they want to remain an Employee but have exhausted their accrued personal leave. Medical evidence may be requested to support this application; and
- Where an Employee is caring for an immediate family member with a serious illness and they have exhausted their accrued personal leave. Medical evidence may be requested to support this application.

This type of leave should be discussed with the Employee’s manager prior to the Employee submitting a written application.

H. Family Violence Leave

Monash Health recognises the impact family violence can have in the personal or professional life of an individual as well as the effect this can have upon their health, safety, capacity to work and financial security.

Family violence leave is available to any Monash Health Employee who is experiencing family violence to provide them time away from work as required. An entitlement of 20 days’ paid leave per annum is available for full time Employees and pro rata for part time Employees. Casual Employees will be supported with unpaid leave as appropriate. This includes time to attend appointments and for the opportunity to support and enhance their safety and wellbeing.

Any Employee who is supporting someone else in such circumstances may draw on personal/carer’s leave entitlements to accompany them to court, hospital, or to care for children.

Monash Health reserves the right to request supportive evidence.

The Employee should call in the usual way to their manager or shift leader and request Family Violence Leave and state the period if known. Prior to any pay cycle associated with the request, the manager will then contact their People & Culture Business Partner advising them of the leave. The People & Culture Business Partner will advise Payroll Services who will ensure the leave is correctly coded and paid.

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Due to the sensitive nature of the request, the Employee may prefer not to advise their manager. In such cases the Employee should advise their manager they require sick leave, and then contact their People and Culture Business Partner to advise that the leave is for family violence reasons.

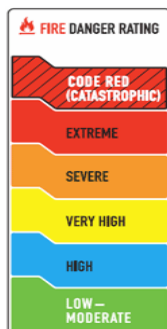
I. Fire Danger Leave

Monash Health Employees have a responsibility to make plans to protect life and property well in advance if they live in a bush fire risk area, and Monash Health will support all Employees who reside in bushfire prone areas and are impacted by the recommendations of the national Fire Danger Rating by enabling them to access their leave entitlements if necessary.

It is important to recognise that Monash Health, as a leading community health organisation, will potentially have increased activities on days of high to extreme fire risk. We therefore ask Employees to consider the staffing requirements of the organisation when deciding whether to attend work on such days, and where possible, make contact with their manager in advance to request leave in accordance with this policy.

Any leave requests or arrangements should be discussed and agreed with the Employee's manager. Employees who are members of emergency response organisations should also refer to the provisions in relation to Community Service Leave.

Fire Danger Ratings:



J. Leave Without Pay

Leave without pay may be considered for Employees in exceptional circumstances. Each request will be judged on its merits.

Examples where applications for leave without pay may be approved include:

- Tragic circumstances - such as the loss of an immediate family member and the Employee requires more time to recover but they have exhausted their accrued personal leave;
- Where an Employee is diagnosed with a serious illness and they want to remain an Employee but have exhausted their accrued personal leave. Medical evidence may be requested to support this application;
- Where an Employee is caring for an immediate family member with a serious illness and they have exhausted their accrued personal leave. Medical evidence may be requested to support this application;

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- Where an Employee is unable to return from overseas due to COVID-19 border restrictions;
- Where an Employee is unable to work due to COVID-19 acquired outside of work and they have exhausted their accrued personal leave;
- Where an Employee is only able to work in a single location due to COVID-19 restrictions and the Employee has elected to work at another organisation and requires extended leave from Monash Health.

Other factors such as the following will also be taken into consideration:

- The amount of unpaid leave previously taken;
- Length of service;
- The capacity of Monash Health to release the Employee at the requested time and for the period requested;
- The capacity of Monash Health to recruit a back fill position to the area, if required; and
- The current vacancy rates within the affected department.

As a general rule, leave without pay will not be granted if the Employee has an accumulated annual or other leave entitlement suitable for the purpose to cover the requested period of absence.

Applications for leave without pay should be made as soon as the Employee is made aware of the requirement for leave. The application for leave without pay must be on a [Leave Application Form](#).

Upon receiving an application for leave without pay, the manager will consider all of the circumstances surrounding the request for leave. All applications need to be approved in line with the Monash Health Delegation Schedule.

If approved, the conditions under which an Employee is granted leave without pay must be documented in the form of a standard memo and forwarded to Payroll Services. A copy must also be filed in the Employee's personnel file.

When leave without pay is granted, service with Monash Health is deemed to be unbroken, but the period of leave does not count towards accrual of entitlements such as annual leave, personal leave, long service leave, sabbatical leave or parental leave.

K. Long Service Leave

The *Long Service Leave Act 2018 (Vic)* does not apply to Employees covered by a federal award or certified enterprise agreement where that award or agreement contains its own long service leave provisions that apply to the Employee. In that instance, Monash Health Employees should refer to their Relevant Industrial Instrument for long service leave provisions.

Some (but not all) casual Employees who are excluded from long service leave under their Relevant Industrial Instrument have an entitlement to long service leave under the *Long Service Leave Act 2018 (Vic)*. Employees can refer to the [Long Service Leave](#) page on the intranet for specific and more detailed information regarding the 2018 LSL Act and its provisions.

An Employee can request to take long service leave at any time after becoming entitled to take leave. Generally long service leave must be taken in periods of at least one week unless it is taken as part of

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a transition to retirement arrangement, the Employee is entitled to long service leave under the *Long Service Leave Act 2018 (Vic)*, or as otherwise agreed.

Employees should refer to their Relevant Industrial Instrument for provisions in relation to recognition of previous service at other Institutions or Statutory Bodies.

Long service leave cannot be converted to personal leave should the employee become ill or injured during the period of absence. Annual leave may be taken in conjunction with long service leave.

Generally, requests for long service leave at half pay will not be considered. However, in the following circumstances a request for long service leave at half pay may be considered:

- Tragic circumstances - such as the loss of an immediate family member and the Employee requires more time to recover but they have exhausted their accrued personal leave;
- Where an Employee is diagnosed with a serious illness and they want to remain an Employee but have exhausted their accrued personal leave. Medical evidence may be requested to support this application;
- Where an Employee is caring for an immediate family member with a serious illness and they have exhausted their accrued personal leave. Medical evidence may be requested to support this application;
- Where an Employee is unable to return from overseas due to COVID-19 border restrictions;
- Where an Employee is unable to work due to COVID-19 acquired outside of work and they have exhausted their accrued personal leave; and
- Where an Employee is only able to work in a single location due to COVID-19 restrictions and the Employee has elected to work at another organisation and requires extended leave from Monash Health.

An Employee's long service leave entitlement is not shown on their payslip. Employees should contact Payroll Services in order to obtain details of their accrued long service leave entitlement. These requests can take some time to compile, so Employees are reminded to ensure they allow enough time for Payroll Services to complete the audit required to give an accurate entitlement.

A [Leave Application Form](#) needs to be completed by an Employee and submitted to their manager for approval. Applications for long service leave must be submitted at least three months prior to the requested leave date (unless otherwise authorised by the Employee's manager). Once approved by the line manager, applications need to be approved in line with the Monash Health Delegation Schedule. Approved long service leave applications should then be submitted to Payroll Services for processing at least 8 weeks prior to the leave start date.

Where applicable, timesheets reflecting long service leave to be taken should be completed and approved by your manager prior to the commencement of leave.

Monash Health reserves the right to require any Employee who has completed fifteen years of continuous paid employment to take such period of long service leave, giving three months' notice, and having regard to the Relevant Industrial Instrument.

Unless otherwise requested, payment for long service leave will normally be made in advance of the period of absence. Payment for long service is in accordance with the Relevant Industrial Instrument but is generally based on ordinary pay.

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Employees should refer to their Relevant Industrial Instrument in relation to whether a particular absence will break continuity of service or whether the absence will not break continuity of service but will not count as service towards long service leave accrual. Paid annual, personal and long service leave continues to accrue during a period of long service leave.

L. Personal leave

Personal leave includes paid and unpaid personal sick and carer's leave.

Subject to any Relevant Industrial Instrument, Employees (other than Casual Employees) are entitled to accrue 10 days per year of paid personal leave. Any unused personal leave will accumulate from year to year. Casual Employees are eligible for unpaid carer's leave.

These forms of leave are designed to help an Employee deal with personal illness or injury and caring responsibilities for a member of their Immediate Family or household who is sick, injured or has an unexpected emergency.

Unpaid carer's leave

An Employee (including a Casual Employee) is entitled to 2 days of unpaid carer's leave for each occasion when a member of an employee's Immediate Family or household requires care or support because of a personal illness, injury, or an unexpected emergency.

An Employee may take unpaid carer's leave for each occasion as a single continuous period of up to 2 days, or any separate periods to which the Employee and their manager agree. An Employee cannot take unpaid carer's leave during a particular period if the Employee could instead take paid personal leave.

Notice and evidence requirements

Employees should refer to their Relevant Industrial Instrument for notice and evidence requirements in relation to taking personal leave. Generally, where an absence is on a day preceding or after a public holiday, a weekend, a rostered period off or an ADO, the absence should be supported with a medical certificate.

An Employee must notify their manager as soon as possible of their intention to take personal leave or carer's leave. Where possible, an Employee should provide notice of their absence no later than one hour prior to their commencement time unless circumstances beyond the Employee's control prevent them from doing so. The Employee should also indicate the expected period of their absence.

All attempts must be made by the Employee to notify the manager of their absence by speaking directly with the manager. Employees should try both their manager's mobile phone and office phone before leaving a voicemail or other message for the manager. Notification of an absence by text message or email message does not constitute valid notice. Notification of the Employee's absence must be made by the Employee directly to their manager and not to a colleague or other Employee.

Employees who do not comply with the above notification requirements may not be entitled to take the leave and may be subject to disciplinary procedures.

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Subject to the Employee’s Relevant Industrial Instrument and outside an Employee being able to have single day absences without providing evidence, Employees are required to provide a medical certificate or statutory declaration as evidence of their absence. A medical certificate may be supplied for a maximum period of four weeks at a time and should a longer period of absence be required a further medical certificate must be provided to Monash Health no later than every four weeks. Employees must continue to provide a medical certificate or other supporting documentation as per their Relevant Industrial Instrument even when paid and unpaid entitlements are exhausted. Where an Employee provides a statutory declaration as evidence, it will not be considered acceptable evidence where the statutory declarations has been witnessed by a member of the Employee’s immediate family.

Whilst Casual Employees are not entitled to accrue paid personal leave, absences due to illness or injury can impact their entitlement to long service leave. It is therefore recommended that when a Casual Employee is absent due to illness or injury, that they provide to their manager or Monash Health Bureau a medical certificate or statutory declaration as evidence of their absence.

Where Employees have travelled overseas and become eligible to apply for personal sick or carer’s leave whilst they are overseas, Employees are required to provide evidence of their booked plane flight back to Australia when requested.

International medical certificates

The acceptance of international medical certificates is at the discretion of Monash Health. In order for an international medical certificate to be recognised the following criteria must be met:

1. The medical certificate must be issued by a qualified medical practitioner from countries where the medical qualifications of the medical practitioner are recognised by the Australian Medical Council and the Australian Health Practitioner Regulation Agency.
2. The medical certificate must be in English and if there is a translation this must be certified by a NAATI Accredited Translator.

M. Public holidays

Employees should refer to their Relevant Industrial Instrument to determine their rate of payment should they be required to work on the public holiday and their entitlement, if any, to a benefit for public holidays which fall on an Employee’s rostered day off. Subject to the terms of any Relevant Industrial Instrument, all permanent Employees are entitled to be absent from work without loss of pay on days declared to be public holidays in Victoria (for example Australia Day, Good Friday, Anzac Day and Christmas Day). An Employee is not generally entitled to payment if they do not have ordinary hours of work on the public holiday.

Pay for absence from work on a public holiday will be based on the base rate of pay for the Employee’s ordinary hours of work on that day or part-day. The base rate of pay to be paid excludes loadings, monetary allowances, overtime or penalty rates, or any other separately identifiable amounts.

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N. Sabbatical leave

Some Employees may have an entitlement to sabbatical leave in their Relevant Industrial Instrument and should refer to the processes contained therein.

O. Study Leave

Monash Health recognises the value that further study provides to both the Employee and the organisation. Employees should refer to their Relevant Industrial Instrument to determine their entitlement, if any, to study leave and/or professional development leave.

Generally study leave may only be granted during active study periods and will not be granted in breaks between study periods. During any period of study leave, Employees are required to keep their manager updated of any change to their enrolment status.

Nursing and Midwifery Employees including graduate Employees should refer specifically to their Relevant Industrial Instrument for detail relating to professional development leave.

As a general rule, planning discussions for future study and potential study leave application should be raised with the Employee's manager as part of your goal setting or Give Me 5 discussions. Employees should submit a written application for study leave to their manager for approval prior to the commencement of leave. If approved, the Study Leave should be entered into Kronos. Approval is at the discretion of the relevant manager in accordance with the Monash Health Delegations Schedule.

Study leave requests may be refused where an Employee is on another form or leave, the leave cannot be operationally accommodated or where sufficient notice of the intended commencement is not provided, and therefore where backfill or other arrangements to accommodate the leave cannot be made.

P. Time off in lieu

The below procedure is intended to supplement and not override any provisions in the Relevant Industrial Instrument.

The Employee and manager should discuss the need for work outside of normal working hours prior to the work taking place. The manager should have regard to the Relevant Industrial Instrument provisions including in relation to overtime, shift penalties, weekend penalties, additional annual leave entitlements, time off in lieu and span of hours.

Time off in lieu should not result in any change to an Employees rostered hours of ordinary duty and will not be approved where working outside of normal rostered hours would give rise to an additional penalty (such as shift allowances, weekend penalties, overtime or additional annual leave).

Where the time off in lieu is approved, the Employee's manager will record the time off in lieu arrangements on the Kronos system or, where the Employee is not on Kronos, the manager must keep

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local records. The records will include the time off in lieu credits and debits for each Employee. The manager will notify the Employee of the approval.

The Employee and manager should reach an agreement for the time off in lieu credits to be taken by the Employee in the same pay period in which it is accrued, taking into account operational requirements. The Employee's timesheets are to reflect the time off in lieu taken.

Q. Training leave

Monash Health will give Employees adequate training to do their job safely and competently. Monash Health believes training is a two-way process. We encourage Employees to participate and to highlight any gaps in their own skills or knowledge they believe they have.

Training includes internal on-the-job training, written instructions such as standard operating procedures, coaching, and may include attendance at external training and courses. Safety training takes precedence.

Employees should discuss any training needs with their manager and approval is at the manager's discretion.

R. Applying for parental leave

Employees should refer to the [People and Culture Parental Leave Procedure](#).

USEFUL RESOURCES

- [Cashing Out Annual Leave Guide](#)
- [Enterprise Agreement Excess Annual Leave Guide](#)
- [Fair Work Ombudsman Fact Sheet – Annual Leave and the NES](#)
- [Fair Work Ombudsman Fact Sheet – Community Service Leave and the NES](#)
- [Fair Work Ombudsman Fact Sheet – Long Service Leave and the NES](#)
- [Fair Work Ombudsman Fact Sheet - Personal Carers Leave & Compassionate Leave and the NES](#)
- People & Culture Advice Line 9265 2724
- OHS Advice Line 9594 6140
- Employee Assistance Program on 1300 687 327

KEYWORDS

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Department Responsible	People & Culture
Document Author	Senior Manager, Employee Relations

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