



**SITE SERVICES**  
HOLDINGS

# LEAVE POLICY & PROCEDURE

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## CONTENTS

1. PURPOSE .....	4
2. SCOPE .....	4
3. DEFINITIONS.....	4
4. POLICY STATEMENT .....	5
5. CASUAL EMPLOYEES/WORKERS .....	5
6. ANNUAL LEAVE .....	5
6.1. Definition .....	5
6.2. Notification .....	6
6.3. Cashing Out of Annual Leave .....	6
7. CHRISTMAS SHUTDOWN .....	7
8. SICK / PERSONAL LEAVE .....	7
8.1. Definition of Paid Personal & Carer's Leave .....	7
8.2. Definition of Unpaid Carer's Leave .....	8
8.3. Notification .....	8
8.4. Evidence Requirements .....	8
8.5. Carer's Leave – Paid or Unpaid .....	9
9. LEAVE WITHOUT PAY .....	9
9.1. Definition .....	9
9.2. Notification .....	10
10. LONG SERVICE LEAVE .....	10
10.1. Definition .....	10
10.2. Notification .....	10
10.3. Cashing Out Long Service Leave.....	11
11. COMPASSIONATE LEAVE.....	11
11.1. Definition .....	11
11.2. Evidence Requirement.....	11
12. COMMUNITY SERVICE LEAVE.....	12
12.1. Definition .....	12
12.2. Notification .....	12
12.3. Evidence Requirements .....	12
13. PARENTAL / ADOPTION LEAVE.....	12
13.1. Definition .....	12



13.2.	Notification and Evidence Requirements .....	13
13.3.	Timing of Leave .....	13
13.4.	Extending or reducing periods of unpaid parental/adoption leave .....	13
13.5.	Concurrent Parental Leave .....	14
13.6.	Returning from unpaid parental/adoption leave .....	14
14.	BREACH OF POLICY OR PROCEDURE .....	15
15.	VARIATION .....	15



## 1. PURPOSE

This policy and procedure outlines the entitlement to various forms of paid and unpaid leave available to eligible workers and the processes for approval.

## 2. SCOPE

- 2.1. This policy applies to all employees of Site Services Holdings and any workers engaged through labour hire, however some entitlements will not apply to those engaged on a casual basis.
- 2.2. This policy is not incorporated into, and does not form part of any individual's contract of employment.
- 2.3. This policy is not intended to override the terms of the applicable legislation, award, enterprise agreement or contract of employment that may apply to an individual.

## 3. DEFINITIONS

Term	Definition
Site Services Holdings	Site Services Holdings and any or all of its subsidiaries
Employer	Site Services Holdings
Immediate Family	<ol style="list-style-type: none"><li>a) A spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or</li><li>b) A child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee; or</li><li>c) A member of the individual's household</li></ol>
Manager/ Supervisor	The person who is responsible for the day-to-day supervision of staff member or employee
Reasonable Business Grounds	<p>This term refers to the grounds on which an employer may refuse a worker's request for flexible working arrangements, or an extension of unpaid parental leave beyond 12 months, under the National Employment Standards. Such grounds may include, but not limited to:</p> <ul style="list-style-type: none"><li>• the effect on the workplace and the employer's business of approving the request, including the financial impact of doing so and the impact on efficiency, productivity, and customer service;</li><li>• the inability to organise work among existing workers; or</li></ul> <p>the inability to recruit a replacement for the worker, or the practicality or otherwise of the arrangements which may need to be put in place to accommodate the worker's request.</p>
National Employment Standards (NES)	The minimum conditions of employment that apply to all employees, as contained in the Fair Work Act 2009



## **4. POLICY STATEMENT**

- 4.1. Site Services Holdings encourages all individuals to establish a balance between working and personal lives and flexible workplace practices. It is expected that individuals initiate leave requests with as much notice possible to ensure the continuity of service delivery and take regular planned breaks from the workplace.
- 4.2. Effective leave management, including the management of the organisation's leave liability, is critical to the operation and sustainability of Site Services Holdings.

## **5. CASUAL EMPLOYEES/WORKERS**

- 5.1. Casual employees perform a vital function in the operations of Site Services Holdings, enabling the company to provide continuous, quality service to their clients.
- 5.2. Whilst casual employees/workers are not entitled to paid forms of leave, it is a requirement that casual employees/workers provide the company with an indication of their availability for shifts. Should circumstances change, casual employees/workers must advise their Supervisor, or Operations Manager, wherever possible, at least one month in advance, to ensure shifts can be filled with as much efficiency as possible.

## **6. ANNUAL LEAVE**

### **6.1. Definition**

- 6.1.1. This clause does not apply to casuals.
- 6.1.2. Annual leave is time spent away from the workplace that is intended for rest and relaxation.
- 6.1.3. Annual leave entitlements are provided in accordance with the National Employment Standards (NES) and the relevant award or enterprise agreement. Full-time employees are generally entitled to four weeks of annual leave per year (pro rata for part-time employees).
- 6.1.4. An individual's entitlement accrues progressively based on their ordinary hours of work during their continuous service with Site Services Holdings. Unused annual leave entitlements accumulate from year to year.



6.1.5. In the interest of personal wellbeing, Site Services Holdings encourages individuals to take their annual leave accruals annually.

6.1.6. Site Services Holdings may direct individuals to take leave in accordance with the Fair Work Act 2009 (Cth) or any applicable award or enterprise agreement. As a general rule, employees who have an accrual of annual leave greater than eight weeks may be directed to take a portion of their accrued leave.

6.1.7. Upon termination with Site Services Holdings, individuals will be paid all accrued annual leave as at the date of termination. An individual may not apply for leave during their notice period, unless otherwise approved by Site Services Holdings.

## **6.2. Notification**

6.2.1. The following principles apply to the notification of intention to take annual leave:

- i. Annual leave can be taken once the leave has accrued;
- ii. Annual leave is to be taken for a period agreed between the individual and Site Services Holdings. Site Services Holdings will not unreasonably refuse a request for annual leave from the individual. However, authorisation is subject to the operational requirements of the workplace;
- iii. Employees must request leave through completion of a Leave Application Form and have it approved by their Supervisor / Operations Manager. Wherever possible, this should be done a minimum of four weeks prior to the planned leave;
- iv. Applications for urgent leave due to unforeseen circumstances may be approved at the discretion of the Supervisor/ Operations Manager. If urgent leave is approved, the individual must submit a request for leave immediately upon return to work.

## **6.3. Cashing Out of Annual Leave**

6.3.1. An individual may request to cash out their annual leave in accordance with the Fair Work Act 2009 (Cth) or any applicable award or enterprise agreement.

6.3.2. To cash out annual leave, individuals will need to complete an Application to Cash Out Leave Form, gain Supervisor/ Manager approval and submit to payroll.

6.3.3. To be entitled to cash out annual leave, individuals will need to have:

- i. Taken at least two weeks annual leave within the last 12 months
- ii. Have a balance of at least four weeks annual leave remaining after the cash out



6.3.4. 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.

6.3.5. 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 payroll to determine their accrued entitlement.

6.3.6. 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 further expected to cooperate with directions by management to take annual leave from time to time.

## **7. CHRISTMAS SHUTDOWN**

7.1. Site Services Holdings has the sole discretion to elect to close for business for a period at the end of each year for certain sites. These days (exclusive of public holidays) are to be taken as annual leave. Employees will be given at least one month's notice of the dates of any such closure, to enable any required planning to take place.

7.2. It is important that all employees take account of these compulsory leave days when planning their leave.

## **8. SICK / PERSONAL LEAVE**

### **8.1. Definition of Paid Personal & Carer's Leave**

8.1.1. Casuals are not entitled to paid personal/ carer's leave.

8.1.2. Personal/ Carer's Leave is to be utilised when an individual cannot attend or remain at work due to:

- i. Personal illness or injury
- ii. The need to care for an immediate family or household member who is ill, injured or where an unexpected emergency affecting the member arises and requires the employee's care and support

8.1.3. Personal/ carer's leave entitlements are provided in accordance with the NES and the relevant award or enterprise agreement. Generally, the entitlement is 10 days per annum for full-time employees (pro-rata for part-time).



- 8.1.4. An individual's entitlement accrues progressively based on their ordinary hours of work during their period of continuous service with Site Services Holdings.
- 8.1.5. Unused personal/ carer's leave accumulates from year to year, however is not payable on termination of employment.
- 8.1.6. Where an Employee does not have sufficient personal leave to cover the absence, the Employee may elect to utilise their annual leave accrual, or take leave without pay.

## **8.2. Definition of Unpaid Carer's Leave**

- 8.2.1. Where an individual has exhausted their entitlement to paid personal/ carer's leave, or is employed on a casual basis, the individual is entitled to two days of unpaid carer's leave for each occasion where a member of their immediate family or household requires care or support due to:
  - i. A personal illness or injury; or
  - ii. An unexpected emergency affecting the member.

## **8.3. Notification**

- 8.3.1. When taking paid or unpaid personal leave, the individual must notify their Operations Manager/ Supervisor at the earliest opportunity and no later than their rostered commencement time wherever possible.
- 8.3.2. Notification must be via a phone call and text message. Text messages alone or e-mail are not acceptable.
- 8.3.3. Upon returning to work, Employees must request leave through completion of a Leave Application Form and have it approved by their Supervisor / Operations Manager.

## **8.4. Evidence Requirements**

### **Personal Leave – Paid**

- 8.4.1. For all personal leave absences of two or more consecutive days, or on days either side of a weekend or public holiday, employees must provide proof to satisfy a reasonable person. Reasonable proof includes:
  - i. A medical certificate indicating that the individual was unfit for work because of personal illness or injury; or
  - ii. A statutory declaration detailing the same information.





## 8.5. Carer's Leave – Paid or Unpaid

8.5.1. For all carer's leave absences, an individual must provide proof to satisfy a reasonable person. Reasonable proof includes:

- i. In the case of illness or injury of a member of the individual's immediate family or household:
  - A medical certificate indicating the member had a personal illness or injury during the period of leave; or
  - A statutory declaration which includes a statement that the individual required the leave to provide care or support to an immediate family or household member because of personal illness or injury.
- ii. In the case of an unexpected emergency, a statutory declaration which includes a statement that the individual required the leave to provide care or support to an immediate family or household member because of an unexpected emergency affecting that person.

8.5.2. Site Services Holdings may also request reasonable proof of relationship if an individual is accessing carer's leave.

8.5.3. If an employee does not produce a medical certificate as per the requirements above, they will not be paid for personal/carer's leave and will have the option of using another type of accrued leave, or taking unpaid leave.

## 9. LEAVE WITHOUT PAY

### 9.1. Definition

9.1.1. Site Services Holdings recognises that circumstances sometimes arise where an individual requires time away from work but has insufficient accrued leave entitlements to do so. Examples include, but are not limited to, non-work related illness, caring for family members or relatives for an extended period of time, and travel.

9.1.2. When an individual has exhausted their paid leave accrual they may apply for Leave Without Pay (LWOP) in 'exceptional circumstances'. Considerations for Operations Managers when assessing the request is as follows;

- i. The operational requirements of the organisation;
- ii. The reason for taking such leave;
- iii. The taking of leave is cost neutral
- iv. That exceptional circumstance legitimately exist



- v. The length of the leave requested;
- vi. The availability and cost of relief arrangements; and
- vii. The individual's past work performance and behaviour.

9.1.3. Leave Without Pay should only be approved once no appropriate paid leave is available (i.e. the person has a zero balance for that leave type).

9.1.4. The granting of this leave is at the absolute discretion of Site Services Holdings and requires the approval of the Operations Manager.

9.1.5. Time spent on unpaid leave does not count as service and leave entitlements will not accrue.

## **9.2. Notification**

9.2.1. Upon returning to work, Employees must request leave through completion of a Leave Application Form and have it approved by their Operations Manager.

## **10. LONG SERVICE LEAVE**

### **10.1. Definition**

10.1.1. Long service leave (LSL) is provided in accordance with the Long Service Leave Act 1958 (WA) and any applicable enterprise agreement.

10.1.2. Long service leave is a period of paid leave granted to an employee who has served a significant period of continuous employment.

10.1.3. Pro rata long service leave is paid upon termination of employment after at least 7 years of continuous service, except for termination due to serious misconduct.

### **10.2. Notification**

10.2.1. Individuals are encouraged to take their long service leave as soon as reasonably practicable after the entitlement becomes due, subject to agreement between the individual and Site Services Holdings.

10.2.2. Employees must request leave through completion of a Leave Application Form and have it approved by their Supervisor / Operations Manager.



10.2.3. It is the organisation's expectation that individuals should notify their intention to take LSL a minimum of eight weeks prior to the planned leave to ensure continuity of service.

10.2.4. Site Services Holdings may direct individuals to take long service leave in accordance with the Fair Work Act 2009 or any applicable award or enterprise agreement.

### **10.3. Cashing Out Long Service Leave**

10.3.1. An individual may request to cash out their long service leave in accordance with the Fair Work Act 2009 or any applicable award or enterprise agreement. To do this, individuals will need to complete an Application to Cash Out Leave Form, gain Manager approval and submit the request to payroll.

## **11. COMPASSIONATE LEAVE**

### **11.1. Definition**

11.1.1. Compassionate leave is provided in accordance with the NES or applicable enterprise agreement.

11.1.2. Compassionate leave can be taken when a member of an employee's immediate family or household:

- i. Dies or
- ii. Suffers a life-threatening illness or injury

11.1.3. Upon returning to work, Employees must request leave through completion of a Leave Application and have it approved by their Supervisor / Operations Manager.

11.1.4. Casuals are not entitled to paid compassionate leave, however may be entitled to unpaid compassionate leave, subject to the provision of the same evidence requirements outlined in section 10.3.

### **11.2. Evidence Requirement**

11.2.1. In order to be entitled to compassionate leave, an individual may be asked to provide evidence to satisfy a reasonable person of the illness, injury or death. Site Services Holdings may also require the individual to provide proof to satisfy a reasonable person of the relationship between the individual and the person concerned.



## 12. COMMUNITY SERVICE LEAVE

### 12.1. Definition

12.1.1. Community Service Leave is provided in accordance with the NES, as recognised in this clause, to attend:

- i. Jury service; or
- ii. A voluntary emergency management activity with a recognised body to deal with an emergency or natural disaster.

12.1.2. With the exception of Jury Duty, Community Service Leave is unpaid for full and part-time employees. For casual employees, all Community Service Leave is unpaid.

### 12.2. Notification

12.2.1. Individuals must notify their Manager/ Supervisor as soon as reasonably practicable of their intention to take leave and advise the period (or expected period) of the absence.

### 12.3. Evidence Requirements

12.3.1. To be entitled to community service leave, individuals must provide proof to satisfy a reasonable person that they have been or will be engaged in an eligible community service activity. For jury service, individuals must provide an attendance certificate.

12.3.2. Upon returning to work, Employees must request leave through completion of a Leave Application and have it approved by their Supervisor / Operations Manager.

## 13. PARENTAL / ADOPTION LEAVE

Site Services Holdings is committed to providing opportunities for our people to balance work and family lives and provides unpaid parental and adoption leave to all employees.

### 13.1. Definition

13.1.1. Unpaid parental / adoption leave is available to full-time, part-time and casual employees who, or whose spouse or de facto partner, experiences the birth or adoption of a child or children.

13.1.2. Access to unpaid parental / adoption leave is conditional on an employee having completed at least 12 months continuous service with Site Services Holdings. Any period of unpaid leave which has been taken by an employee (including any period of



unpaid special maternity leave leading up to the unpaid parental leave period) will not count as continuous service for the purposes of calculating the 12 month qualifying period for access to unpaid parental/adoption leave.

- 13.1.3. If eligible for unpaid parental/adoption leave, employees are entitled to 52 weeks unpaid leave with an option to extend in certain circumstances (see below).

### **13.2. Notification and Evidence Requirements**

- 13.2.1. Employees intending to take parental/adoption leave must give at least 10 weeks' notice of their intention to take parental/adoption leave to their Operations Manager detailing the intended start and end dates of the leave. If this is not practicable, then the employee must give notice as soon as is practicable.
- 13.2.2. At least four weeks' before the intended start date of the leave, the employee must confirm, or give notice of any change of the intended start date and end date of the leave to their Operations Manager (unless it is impracticable to do so).
- 13.2.3. An employee's Operations Manager may request a medical certificate or other evidence such as confirmation of placement date and age of an adopted child to prove the need to take parental/adoption leave. Where a request is made, an employee will need to produce this evidence before an application for parental/adoption leave can be considered.

### **13.3. Timing of Leave**

- 13.3.1. Unpaid parental/adoption leave must be taken in a single continuous period, however, this does not preclude employees who are on unpaid parental/leave from being on other forms of paid leave.
- 13.3.2. Unpaid parental leave for birth-related leave of a female employee can commence up to 6 weeks before the expected date of the birth of the child, or earlier if mutual agreement is reached, but cannot start later than the date of birth of the child. For adoption related leave, the period of unpaid parental leave must start on the day of the placement of the child.

### **13.4. Extending or reducing periods of unpaid parental/adoption leave**

- 13.4.1. Employees taking unpaid parental/adoption leave have a right to request to extend their leave for a further period of up to 12 months, except where the employee



commences their period of unpaid leave after the birth of the child (where their spouse or de facto has previously had the responsibility for the care of the child - in this circumstance, the employee will only be able to request an extension of their unpaid parental/adoption leave up to 24 months after the date of the child being born/placed with the employee).

13.4.2. Site Services Holdings may only refuse requests for extensions of parental/adoption leave on reasonable business grounds.

13.4.3. An employee may request agreement from their Operations Manager to reduce their period of unpaid parental/adoption leave. The employee's Operations Manager will consider whether the business can accommodate an earlier return to work having regard to any contractual arrangements with relief staff, other arrangements made to alleviate the employee's absence and any other relevant matters appropriate in the circumstance. If an employee's request to return to work early is approved, the employee's period of unpaid parental/adoption leave will finish once they recommence work and they will forfeit any residual entitlement to unpaid parental/adoption leave still remaining in the 12 month unpaid leave entitlement.

### **13.5. Concurrent Parental Leave**

13.5.1. Members of an employee couple who meet the eligibility, notice and evidence requirements will have a limited entitlement to take concurrent unpaid parental/adoption leave with their spouse or de facto for a period of up to 8 weeks. Concurrent leave can be taken in separate periods, however, if taking concurrent leave over more than one period, each period must be for a minimum of two weeks unless otherwise agreed between an employee and their supervisor. A period of concurrent leave cannot be taken before the date of the birth of the child or the date of the placement of the child where being adopted, unless otherwise agreed between an employer's supervisor and the employee.

13.5.2. Any period of unpaid concurrent parental/adoption leave will reduce the employee's entitlement to 12 months unpaid parental/adoption leave by the amount of weeks the employee takes off.

### **13.6. Returning from unpaid parental/adoption leave**

13.6.1. Once returning from a period of unpaid parental/adoption leave, the employee must return to the position he or she held before going on leave or, where that position no longer exists, to an available position comparable in pay and status.



13.6.2. Employees may be eligible for Paid Parental Leave, or Dad and Partner Pay, under the government funded schemes. Further information can be found through the Department of Human Services links below:

<http://www.humanservices.gov.au/customer/enablers/centrelink/parental-leave-pay>  
<http://www.humanservices.gov.au/customer/enablers/centrelink/dad-and-partner-pay/eligibility-for-dad-and-partner-pay>

## **14. BREACH OF POLICY OR PROCEDURE**

- 14.1. Individuals are required to comply with the requirements of this policy before payment for the leave requested will be approved.
- 14.2. Failure to meet the notification and documentation requirements in this policy may result in disciplinary action, up to and including termination. However, Site Services Holdings will take into account situations where an individual could not comply with the policy because of circumstances beyond the individual's control.
- 14.3. Leave taken without authorisation and without justifiable reason may result in disciplinary action, up to and including termination of employment.

## **15. VARIATION**

Site Services Holdings reserves the right to vary, replace or terminate this policy at any time. This policy will be reviewed, revised and republished where necessary to ensure it remains relevant and appropriate to our group's activities.