

Leave Policy

The Fagg's Belmont Timber Leave Policy applies to all employees, including full-time and part-time salaried employees, employees covered by an award and casual employees (referred to in this policy as "team members"). Eligibility for particular leave types varies and is specified further in this policy. This policy replaces any previous or pre-existing policy, practice or procedure dealing with leave.

What leave is available to me?

Type of leave

1. Annual Leave
2. Personal/Carers Leave, and Compassionate Leave
3. Community and Defence Leave
4. Family & Domestic Violence Leave
5. Long Service Leave
6. Purchased Leave and General Leave Without Pay
7. Pregnancy and Parental Leave

Managers and Team leader responsibilities

- Understanding this policy and making sure team members comply with the relevant policy requirements when asking for and taking leave
- Correctly approving and recording leave taken by team members
- Ensuring any discretion under the policy is exercised in accordance with statutory requirements (where relevant)
- Responding to any requests within the statutory timeframe (where relevant)
- Monitoring leave with team members and stakeholders and counselling team members for any breaches or concerns, when appropriate

Team member responsibilities

- Understanding what leave is available to you and following the correct steps to apply for leave, including providing all supporting documents where relevant and cooperating with reasonable requests for further information.

1. Annual Leave

We recognise the importance of work/life balance to the well-being of our team members and we encourage you to take your accrued annual leave regularly. All team members are entitled to annual leave (with the exception of casuals).

How much annual leave may I have?

Full-time team members are entitled to four weeks' paid leave per year (pro-rated for part-time team members), which accrues progressively during each year of service. Generally, it will not accrue during periods of unpaid leave.

Annual leave is paid at your base rate of pay, with annual leave loading (where specified by an applicable award).

When am I eligible to take annual leave?

Generally, you should take annual leave in periods agreed in advance with your Manager, taking into account your needs and the needs of the business. We encourage you to take your leave within twelve months of accrual.

Where you have accrued an excessive amount of leave (generally more than eight weeks), your Manager/Supervisor may meet with you to discuss when you may be able to take some time off. If you are unable to agree on a time for the leave to be taken, your Manager/Supervisor may direct you to take annual leave (depending on the terms of any award that applies to you).

Can I take annual leave in advance?

Annual leave in advance of accrual will only be granted in exceptional circumstances and with the prior approval of the General Manager. You should write to your Manager stating the reasons for the request.

Can I take my annual leave in cash rather than time off?

Having time off is important and therefore generally, we do not encourage cashing out annual leave although it is able to be done. Any requests should be made in writing to your Manager in the first instance, stating the reasons for the request. The request will be considered in line with. Please refer to your relevant award of the National Employment Standards (NES) for further information.

If Fagg's Belmont Timber closes during quiet times, how does that affect my annual leave?

We may temporarily shut down parts of the business for a maximum of two weeks during slow periods such as the Christmas and New Year break. During this time, we may direct you to take paid annual leave (depending on the terms of any award or enterprise agreement that applies to you). We will give you as much notice as possible (at least one month before we close). If you do not have enough leave to cover the period of the shut down, you may need to take leave without pay.

2. Personal/Carer's Leave, Well-being and Compassionate Leave

We understand there will be times when you are unfit for work due to illness or injury, need to take care of household/family members or have been impacted by an emergency or a personal loss.

If you are covered by an award, you should check the agreement for any additional or varied conditions or entitlements.

How much personal/carers' leave may I have?

Full-time team members are entitled to 10 days' of paid personal/carers' leave per year (pro-rated for part-time team members), which accrues progressively during each year of service. It will not accrue during periods of unpaid leave except in certain specific circumstances (for example, during unpaid Community Service leave and workers' compensation absences in some states).

Casual team members do not accrue personal/carers' leave, although they can take unpaid carers' leave (as set out below).

When am I eligible to take personal/carers' leave?

- If you are unfit for work because of personal illness or injury
- If you need to provide care or support to an immediate family member or member of your household because of their illness or injury, or
- If there is an unexpected emergency affecting an immediate family member or member of your household.

An "immediate family member" includes your spouse or de facto partner, or your (or your spouse/de facto partner's) child, parent, grandparent, grandchild or sibling. You may also need to provide reasonable evidence of the reason for the leave (see "What supporting evidence do I need to provide?" below).

Can I take unpaid carers' leave?

If you have used all of your paid personal/carers' leave (or if you are a casual team member), you can take up to two days of unpaid carers' leave for each occasion when an immediate family member or member of your household requires care or support because of a personal illness, injury, or an unexpected emergency.

The leave can be taken in a single continuous period or separate periods, as agreed between you and your Manager.

Can I take Compassionate Leave?

You can take up to two days' compassionate leave on each occasion where an immediate family member or household member dies, sustains a life-threatening illness or injury. The leave is paid at your base rate (if you are a full-time or part-time team member), and unpaid if you are casual.

The leave can be taken in a single continuous period or separate periods, as agreed between you and your Manager. Compassionate leave is taken per occasion and does not accrue.

What supporting evidence to do I need to provide?

If you request personal/carer's leave, unpaid carer's leave or compassionate leave, we may ask you to provide us with reasonable evidence to support your request (such as a medical certificate).

Generally, for personal/carer's leave days we will ask for evidence if you take two or more consecutive days of leave or a day pre or post a public holiday or weekend. There may also be instances where employees will be required to provide evidence for as little as one day or less off work.

It is important to cooperate with requests to provide evidence of the reason for taking leave. Taking leave without approval, or being unable to provide reasonable evidence on request, can lead to disciplinary action (up to and including termination of your employment). If you are unclear on the requirements for taking leave or the evidence required, it is best to discuss this with your Manager as soon as possible.

Can I take personal/carer's leave in advance or take it as a cash payment?

Personal/carer's leave is not paid in advance. Refer to your relevant Award or the National Employment Standards (NES) for further information.

3. Community, Defence and Charity Leave

We understand that many team members are involved in community service activities, and may occasionally be called upon to participate in these activities during work hours. This policy outlines the leave (paid and unpaid) available to you in these circumstances.

When can I take Community Service Leave?

You may take Community Service Leave where:

- you have been summoned to attend jury duty, or
- you are a member of an emergency management body or association and have volunteered to assist with an emergency or natural disaster.

Jury Duty

Jury duty is paid for full-time and part-time team members (for the first 10 days), and unpaid for casuals.

Your maximum daily pay during jury duty is at your base rate. This means that:

- if you are being paid to attend jury duty, we will top-up your pay (as needed) to match your base rate for the first 10 days, and

To receive jury duty pay (including any top-up pay), you will need to provide Payroll with evidence that you took all necessary steps to obtain payment. You will not receive any jury duty pay from the business unless this evidence is provided.

Voluntary emergency management activity

Leave to participate in a voluntary emergency management activity is unpaid, although your leave accruals will continue as normal during community service leave.

When can I take Defence Reserve Leave?

Team members who are members of the Defence Reserve are entitled to be absent to attend military training, or if called upon to undertake Defence Reserve duties.

As a matter of courtesy and to allow for effective workforce planning, please provide as much notice as possible of any scheduled training dates.

How do I apply for this leave?

Contact your team leader as soon as reasonably practicable (which in the case of an emergency, may need to be after the leave has started) and provide them with reasonable evidence to support your leave request (such as a copy of your summons to attend court, a letter on the organisation's letterhead etc).

4. Family & Domestic Violence Leave

The leave can be taken by employees if they need to deal with the impact of family and domestic violence and it's not possible to do so outside their ordinary hours of work.

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

All employees (including part-time and casual employees) are entitled to 5 days unpaid family and domestic violence leave each year.

If an employee takes family and domestic violence leave, they must let their Manager know as soon as possible. This can happen after the leave has started. Employees also need to tell their Manager how long they expect the leave to last.

Employees may be required to provide evidence that shows the employee took the leave to deal with family and domestic violence. If the employee doesn't provide the requested evidence, they may not get family and domestic violence leave.

5. Long Service Leave

The purpose of this policy is to provide team members with an overview of their Long Service entitlements, as well as the procedure to follow when requesting and taking leave. This policy applies to all full-time, part-time and casual team members with the minimum period of continuous service. For more information of Long Service Leave, please visit www.business.vic.gov.au

How do I take my Long Service Leave?

You and your Manager will agree on when you can take your leave, depending on your needs and the needs of the business.

If you would like to take long service leave at a particular time, please give us as much notice as possible to increase the likelihood that your timing can be accommodated, and appropriate cover/handover arrangements can be made.

Long service leave in advance, will generally only be granted in exceptional circumstances and requires the approval of the General Manager.

Pro Rata Leave

Pro rata leave is the leave which has been accrued but which falls short of the full entitlement. You may be entitled to a pro rata long service leave payment on termination.

6. General Leave Without Pay

Team members who have used their leave entitlements may apply for LWOP. Applications for LWOP need strong grounds for approval, such as pressing necessity. During periods of approved LWOP, a team member's contract of employment remains in force. You must not engage in any activity or conduct which breaches the conditions of your employment during LWOP. You may also need to return any tools of trade (including vehicles and/or mobile phones) during extended periods of LWOP.

No entitlements accrue during LWOP, although approved LWOP will not break your continuity of service.

7. Pregnancy at work and Parental Leave

If you are expecting a child – congratulations! We encourage you to let your manager know as soon as possible and start the conversation early in relation to your plans, expected leave dates and working arrangements. Of course, we also respect your decision to hold off notifying people until you are ready.

Please note that there are minimum notification periods before taking unpaid parental leave.

Protection from discrimination

We are committed to the safety and wellbeing of team members who are pregnant (or have a pregnant partner).

Safety first

We appreciate that no two pregnancies are the same. Therefore during your pregnancy, you are encouraged to check in with your Manager, as appropriate, and advise if you are experiencing any changes to your work capacity. This is particularly the case if your role involves a lot of standing or anything physical/strenuous. You and your Manager can then discuss any adjustments that need to be made to your role to ensure that it can be performed safely.

If you would like to request particular changes (such as altered duties, increased breaks or changes to your workstation), these will be considered on a case-by-case basis in line with the reason for the request, the requirements of your role and any operational requirements.

Safe Duties and No Safe Job Leave

If you are pregnant and your doctor advises you that you are fit for work, but you should change duties due to illness, pregnancy-related risks or hazards, you are entitled to be transferred temporarily to an "appropriate safe job". You will need to provide your Manager with reasonable evidence that you are fit for work, but it is not advisable for you to continue in your current position.

Your salary and benefits will be maintained as normal while you carry out an appropriate safe job.

Can I take time off for pregnancy-related medical appointments and illness?

You can use your accrued Personal/Carer's leave to attend pregnancy-related medical appointments.

Where possible, it is best to discuss any scheduled appointments with your Manager in advance.

Pre-Adoption Leave

If you are adopting a child you can take up to two days unpaid pre-adoption leave to attend interviews or exams that may be required. If you have accrued leave (such as annual leave), your Manager may require you to take this leave first.

Special Maternity Leave

You are entitled to take unpaid special maternity leave if you are not fit for work due to a pregnancy-related illness

Your unpaid parental leave entitlement (see Parental Leave below) will not be reduced by the amount of any unpaid special maternity leave taken while you are pregnant.

Can I work within six weeks of the expected birth date?

If you are pregnant and would like to continue working in the six weeks before the expected birth of your child, we may ask you to provide us with a medical certificate confirming that you are fit for work and that it is not inadvisable for you to continue in your present position (due to illness, risks arising out of your pregnancy or hazards connected with your role).

If you do not provide a medical certificate, or the certificate states you are unfit for work, your Manager may direct you to start unpaid parental leave as soon as possible (for the length of the period you may be at risk). This time is counted as part of your total unpaid parental leave entitlement.

Unpaid Parental Leave

You are entitled to unpaid parental leave if you have at least 12 months' continuous service with Fagg's Belmont Timber. If you are casual, you must have been employed on a regular and systematic basis for at least 12 months (with a reasonable expectation of continuing employment on a regular and systematic basis).

Unpaid parental leave can be taken in connection with:

- the birth of a child (to you, your spouse or de facto partner), or
- the adoption of a child under 16. Note that adoption leave is not available where the child has lived with you for 6 months or more as at the expected placement date, or the child you are adopting is the child of your spouse or de facto partner.

To take unpaid parental leave:

- you must have responsibility for the care of the child during the leave period, and
- you need to take it in a single, continuous period (except for concurrent leave

How much leave can I take?

The amount of leave you can take depends on whether you are in an “employee couple” – that is, in a spouse or de facto relationship with another employee (note: employed anywhere, not necessarily with Fagg's Belmont Timber).

- **You can take up to 12 months leave:** As a general rule, you are entitled to take up to 12 months' parental leave. You can request to extend this up to a total period of 24 months
- **Employee couples can take up to 24 months leave:** You and your partner have a combined leave entitlement of 24 months. This gives couples the flexibility to rotate primary caregiver responsibilities in a way that best suits their circumstances, although any leave over 12 months will still need to be requested. However, because the leave entitlement is shared, the amount of leave you can take is reduced by any leave that your partner takes. You and your partner will also need to take parental leave separately
- **You can take up to 8 weeks of concurrent leave:** Employee couples can take up to 8 weeks of parental leave at the same time – this is called concurrent leave. Concurrent leave counts as part of your 24 month combined leave entitlement. You can take concurrent leave in separate periods, with each period being no shorter than 2 weeks

Can I extend my Parental Leave?

If you haven't taken your full 12 month leave period, you can extend your leave once while you are still on leave.

If you have already had 12 months off, you can request an extension of up to 12 months' additional leave (which must be continuous with the end of the first 12 months' leave and must not exceed the 24 month limit for employee couples). Your Manager will contact you within 21 days to arrange a suitable time to discuss your request with you. A request will only be refused:

- on the basis of reasonable business grounds, such as the impact the additional leave will have on your team or the business, and
- after you have had a reasonable opportunity to discuss the request with your Manager.

- If we need to refuse your request, we will provide you with a response that sets out the reasons for the refusal in writing.

What happens if there are changes to the business while I am on leave?

We will consult with you, and keep you informed, of any significant decisions that may affect or impact the status, pay or location of your pre-parental leave (or pre-safe job leave) position. If you have a preference about how you would like to be contacted during parental leave, please confirm this with your Manager before your leave period starts.

What happens to my pay and entitlements on parental leave?

Parental leave is unpaid. This means you don't accumulate paid leave (such as annual leave or personal/carer's leave) during unpaid leave periods, although:

- you can take other paid leave entitlements during parental leave, such as your accrued annual leave or long service leave, and
- you might be entitled to government-funded paid parental leave

Parental Leave pay

Government paid parental leave scheme

If you take parental leave, you may be entitled to access the government paid parental leave scheme (PPL). PPL may be available for both primary caregivers and partners, and is paid at the minimum wage. It is available during unpaid parental leave periods you take under this policy.

You can find more information on PPL (including rules on eligibility and how to apply) on the Department of Human Services Website.

Returning to work

On returning to work, you are entitled to return to your pre-parental leave position (or, if that position no longer exists, an available position for which you are qualified and suited, which is nearest in status and pay to your pre-parental leave position). You will be consulted about any changes to your pre-parental leave position.

Policy and Procedures

By signing this document I acknowledge that I understand the Leave Policy and Procedures as stated above:

Name:

Signature:.....

Date:.....