

Leave Guidelines

File Number:	A9813813	Directorate:	Corporate Services
Authority:	Corporate Services	Responsible Officer:	OD Consultant
Policy Type:	Organisational Development	Version Number:	July 2024
Approval Date:	July 2024	Review Date:	December 2028

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1 Definitions

Term	Definition
Assault	For the purposes of Assault Leave, “Assault” means: - the intentional application of force to the employee, directly or indirectly; or - an attempt or threat to apply such force to the employee.
Close relative (including Immediate Family)	For the purpose only of taking paid family and domestic violence leave, a ‘close relative’ of a person is another person who: (a) is a member of the first person’s immediate family (as defined under Immediate Family below); or (b) is related to the first person according to Aboriginal or Torres Strait Islander kinship rules; or (c) is a member of the person’s household (noting that this does not fall within the legal definition of ‘family violence’, but that Council has decided to extend this definition to better support its employees.)
Family and Domestic Violence	Council has adopted the following definition of family and domestic violence from the Family Violence Protection Act 2008 (Vic). Family violence is: a. behaviour by a person towards a family member of that person if that behaviour: - is physically or sexually abusive; or - is emotionally or psychologically abusive; or - is economically abusive; or - is threatening; or - is coercive; or - in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person; or b. Family and domestic violence also includes behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred to in paragraph a. The Fair Work Act 2009 also now includes the following definition of ‘family and domestic violence’ which Council will also use if in any situation it applies: Family and domestic violence is violent, threatening or other abusive behaviour by a close relative of a person, a member of a person’s household, or a current or former intimate partner of a person, that:

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	(a) seeks to coerce or control the person; and (b) causes the person harm or to be fearful.
Immediate Family	- Your spouse or de facto partner (including a former spouse or de facto partner and a same sex partner or former same sex partner); or - Any of the following relations to you or your spouse or de facto partner: a. a child (of any age, including an adopted/permanent care child, a foster care child, a stepchild or an ex-nuptial child), b. parent, c. grandparent, d. grandchild, e. sibling.
Wages	Your minimum wage under Appendix E of Part A of Council's Enterprise Agreement plus any supplementary payments (excluding allowances, loadings, Council margins and over-award payments).
Pandemic Disease	For the purposes of the payment of pandemic leave, a 'pandemic disease' is a disease where the State or Federal Government has declared a health pandemic and issued an Order that requires a person with the relevant disease to self-isolate. (As at June 2023, this does not apply to COVID-19).
Parental Leave	Leave taken for the purposes of caring for a child at the time of or immediately following the birth or adoption of a child. Parental Leave is leave that can be taken when: - you give birth. - your spouse or de factor partner gives birth, including same sex couples; or - you adopt or permanently care for a child.
Pre-natal and 'family type' leave	Leave taken for pre-natal purposes or for staff to use for assisted conception, fertility treatments or processes, pre-adoption or pre-permanent care application processes.
Recognised Emergency Management Body	- A body that has a role or function under a plan that is for coping with emergencies and/or disasters (prepared by the Commonwealth, a state or territory) - A firefighting, civil defence or rescue body - Any other body which substantially involves responding to an emergency or natural disaster

	This would include bodies such as the State Emergency Service, Country Fire Authority or the RSPCA (in respect of animal rescue). See also the National Employment Standards under the Fair Work Act 2009 (Cwlth).
Stillborn child	A stillborn child is a child: (a) who weighs at least 400 grams at delivery or whose period of gestation was at least 20 weeks; and (b) who has not breathed since delivery; and (c) whose heart has not beaten since delivery

2 Applying for Leave

2.1 UConnect

You apply for most leave types in UConnect.

However, you cannot use UConnect for some types of leave including, but not limited to:

- Defense service leave
- Emergency services leave
- Leave without pay.
- Parental leave
- Family violence leave
- Assault leave

2.2 Leave forms

If you cannot apply for leave using UConnect, you need to complete a [Leave Application](#) form (or other form as applicable in your business unit). You can obtain a Leave Application form from The Source or your Business Support or Administration Officer.

2.3 Evidence

For some types of leave, you may need to provide evidence to substantiate your absence. Whenever evidence is required, your manager or supervisor **must see and sign the original document** before approving your leave. Once approved, they must send the original of the evidence to Payroll.

3 Annual Leave

3.1 Annual Leave entitlements by employment type

Employment type	Entitlement
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Full time employee - 38 hours per week	4 weeks for each 12 continuous months of service, which accrues progressively and accumulates from year to year. This equates to 152 hours of leave per year.
Full time employee – Library Services - 35 hours per week	4 weeks for each 12 continuous months of service, which accrues progressively and accumulates from year to year. This equates to 140 hours of leave per year.
Part time employee	Pro-rata of the same entitlement as a full-time equivalent employee. Example – 4 weeks' leave, accrued in accordance with your ordinary weekly hours. Leave accrues on all ordinary hours worked up to 38 (or 35 for library staff) hours per week.
Casual employee	Employees engaged on a casual basis do not accrue paid annual leave entitlements. An additional payment is made instead of paid leave accruals, referred to as a 'casual loading'. The total casual loading is 25% of the relevant hourly base rate of pay under Appendix E of Part A of Council's Enterprise Agreement. Please note the Victorian Government currently provides a Sick Leave Guarantee for certain jobs [this is a three (3) year pilot program running to 13 March 2025]. For further details see https://www.vic.gov.au/sick-pay-guarantee .

3.2 Leave Loading

When you take paid annual leave, you will also receive a 17.5% loading paid on hours of leave taken, up to a maximum amount specified by the Australian Bureau of Statistics [ABS] Average Weekly Earnings. Payroll can tell you the maximum amount payable each year.

The total amount of leave loading for an absence is paid in the first pay run in which your leave occurs. Leave loading is not split across pay periods if your leave extends beyond one pay period.

3.3 Leave Limits (excess leave)

You should take your annual leave regularly and try not to have more than 4 weeks accrued at any time.

If you have 8 weeks or more of annual leave accrued at any time, your manager / supervisor will ask you to reduce your leave balance to below this threshold. Your manager or supervisor will discuss Council's "No Leave / No Life" principles with you and work with you to negotiate a 'leave plan' to reduce your leave balance.

If agreement cannot be reached to reduce your leave accrual within a reasonable timeframe, the provisions in the Enterprise Agreement (EA) regarding excess leave will be applied ([Part A, Clause 46, Annual Leave Management](#)).

You may be able to accrue annual leave in excess of 8 weeks in some circumstances. For example, you might wish to take an extended break, or for study purposes. If this is something you are considering, you must discuss any such plans with your manager or supervisor and obtain their approval. Your manager or supervisor must notify the payroll team in writing if such an agreement is made.

3.4 Application Process

Check you have enough leave to cover your proposed absence.

You must apply for annual leave **and** get approval from your manager or supervisor **before** you take the leave. To avoid disappointment, do not finalise your travel plans or commit expenditure before your leave has been approved.

Council's Enterprise Agreement states that "Annual leave will be given and taken in such period or periods and at such time or at such times mutually convenient to the employer and employee". (Part B, Clause 41.5, Leave to be taken).

In deciding whether to approve or decline your leave request, your manager or supervisor must take into account factors such as your leave balance and the operational needs of your work unit, including the number of other staff who would like to take leave at the same time. This is particularly relevant during popular times like School Holidays, Christmas and Easter.

From time-to-time, your manager or supervisor may have to decline your leave request or ask you to reconsider the date/s of your leave.

Your leave request should not be unreasonably withheld by your manager or supervisor. You should receive a response to your request within a reasonable timeframe and ideally within 2 weeks of you making the formal request.

3.5 Application in Advance

Please apply for leave with as much advance notice as you can. You should apply for annual leave at least 2 weeks before you would like to take the leave.

3.6 Amount of Leave Taken

When your leave is processed, the amount of leave taken from your leave balance varies according to the ordinary number of hours you work each day.

38 hour per week full-time employees	35 hour per week full-time employees	Part time employees – 38-hour week
- 7.60 hours per day (10 day fortnight) - 8.00 hours per day (19 day month) - 8.44 hours per day (9 day fortnight)	- 7.00 hours per day	Part-time employees should apply for leave based on their average hours but may apply to use up to eight (8) hours per day (<i>maximum of 7.6 hours per day for Care Workers</i>) to a maximum of 35 or 38 hours per week as applicable.

3.7 Payment in advance

You can apply to have your annual leave paid in advance. To apply for payment in advance, email the payroll team with your request to Payroll.

If you do not have access to email, then tick the appropriate box on a paper [Leave Application form](#).

The Payroll team must receive your application for pay in advance no later than one month before the start of your leave.

3.8 Purchased Leave Scheme

You can apply for a 48/52 or 50/52 leave arrangement. For further information please refer to Clause 51 of Council's Enterprise Agreement 2022.

4 Annual Leave Cash Out

4.1 Eligibility Criteria

If you have a combined annual leave balance (entitlement and accrual) of more than 4 weeks, you may cash out an amount of annual leave in excess of 4 weeks. After the cashing out, you must have at least 4 weeks of accrued leave remaining.

You can request to have annual leave cashed out, instead of taking that leave, on one occasion each year and only at your request. **Once each year** means once each calendar year, ie between 1 January to 31 December.

4.2 Applying to Cash out your Annual Leave

You should seek independent financial advice before applying to cash out some of your annual leave.

Every request to cash out annual leave must be made in writing.

The amount cashed out will be the same as you would have received had you taken that leave. You will not accrue any leave on the portion of leave you cash out.

If you would like your annual leave paid out, you need to complete the online form on The Source: see Safety, Health and Wellbeing > Employee Support > Financial Assistance.

5 Assault Leave

5.1 Eligibility

Assault leave is available under the following circumstances:

- where you are Assaulted whilst on duty; and
- you report the Assault to the Victoria Police; and

- you have required time off work as a result of the Assault; and
- you have recorded the Assault in Council's occupational health and safety reporting system.

5.2 Entitlements

Up to 5 working days of paid Assault leave can be granted each calendar year. It does not accumulate from year to year. The annual entitlement for paid Assault leave commences on 1 January each year.

5.3 Exceptions

Your Manager may exercise their discretion to grant paid assault leave without requiring you to report the incident to the Victoria Police provided the following circumstances are met:

- You have been the subject of serious or persistent verbal abuse not covered by the definition of Assault; and
- You have reported the abuse in Council's OHS reporting system; and
- the Manager forms a reasonable belief that you would benefit from Assault Leave.

Such leave will count as assault leave for the purposes of your annual paid Assault leave entitlement.

5.4 Application Procedure

Your Manager is responsible for considering and approving paid Assault leave. In extenuating circumstances, a Director may approve additional assault leave.

To assist in making a decision in how best to support you, you may need to provide medical or other evidence such as a recommendation from Council's EAP provider relating to the assault leave.

Where assault leave is granted, a professional debrief with a suitably qualified Counsellor of Council's EAP provider will be provided. You may also seek reimbursement for a visit to your preferred psychological service provider.

6 Bereavement / Compassionate Leave

6.1 Entitlements

You may access up to 6 days' paid bereavement / compassionate leave, on each occasion, when:

1. a member of your Immediate Family or your Household
 - a. contracts or develops a personal illness that makes them seriously ill; or
 - b. sustains a personal injury that makes them seriously ill; or
 - c. dies; or
2. a child is Stillborn, where the child would have been a member of your immediate family, or a member of your Household, if the child had been born alive; or

3. you, your spouse or de facto partner, has a miscarriage. This does not apply if the miscarriage results in a Stillborn child; or to a former spouse, or former de facto partner of yours.

This entitlement is separate to all other leave accruals and may be taken on the occasion of the illness or injury, or at any time while the injury or illness persists.

6.2 Evidence required

When taking this leave, you are required to:

- give notice to your supervisor as soon as practicable (which may be after the leave has started); and
- let your supervisor know the period, or expected period, of the leave.

You may need to provide evidence to substantiate your absence on each occasion. Please refer to Section 13 - Evidence Requirements for Sick Leave, Carer's/Family Leave and Compassionate/Bereavement Leave.

Give your manager or supervisor the original copy of the evidence when you apply for the leave.

6.3 Use of other leave types

In addition to the above you can use:

6.3.1 Sick Leave

Accumulated Sick Leave of up to three days, without a Medical Certificate / Statutory Declaration, on each occasion, on the death or serious illness of a member of your immediate family or household and you have already used your Bereavement/Compassionate Leave entitlement.

A medical certificate/statutory declaration may be sought if additional sick leave is required.

6.3.2 Unpaid Leave

Unpaid Leave as bereavement/compassionate leave up to three days on each occasion, on the death or serious illness of a member of your immediate family or household and you have already used your Bereavement/Compassionate Leave entitlement and your current year's Sick Leave entitlement.

6.3.3 Other paid leave entitlements

You can also request to use accrued annual leave or eligible long service leave entitlements.

6.4 Procedure

As soon as you can, inform your manager/supervisor of the death or serious illness of the member of your Immediate Family or household.

On your return, give the evidence to your manager who will send it to Payroll after they have approved the leave. They cannot approve the leave until they have seen the original evidence. Your manager or supervisor will send the original evidence to Payroll.

7 Carer's / Family Leave

7.1 Purpose

Carer's / Family leave is to be used if you need to care for or support a member of your Immediate Family or household because of:

- a personal illness, or personal injury, affecting the member; or
- an unexpected emergency affecting the member.

7.2 Notifying absences

If possible, let your manager or supervisor know in advance that you will need time off to care for a member of your Immediate Family or household. You should advise who needs your care, why you need to take the leave and how long you think you may be away from work.

If you cannot provide notice in advance, you should call your manager or supervisor as soon as practicable after the absence has started.

7.3 Evidence

You may need to provide evidence to substantiate your absence. Please refer to Section 13 - Evidence Requirements for Sick Leave, Carer's/Family Leave and Compassionate/Bereavement Leave.

Give your manager or supervisor the original copy of the evidence when you apply for the leave.

7.4 Applicable leave types (carer's / family leave)

You can elect to use the following types of leave or arrangements for carer's / family leave purposes:

7.4.1 Accrued Sick leave

You may use your accrued sick leave for carer's/family leave.

7.4.2 Future sick leave, or current annual or long service leave

If you have exhausted your Sick Leave entitlement, you can ask to use up to 5 days' Sick Leave in advance from your next year's Sick Leave credit, or access your accrued Annual Leave and/or Long Service Leave entitlements.

To apply to use future sick leave, you don't need to have exhausted all your other types of leave accruals.

You always need to provide a medical certificate or statutory declaration for sick leave in advance used as carer's leave.

7.4.3 Unpaid Carer's / Family Leave

All employees, including casual employees, are entitled to up to 2 days of unpaid carer's/family leave on each occasion they need to take this leave. You may take unpaid carer's/family leave for a particular occasion as a single continuous period of up to 2 days, or any separate periods to which you and your supervisor agree.

You may only take unpaid carer's/family leave if you have exhausted all accrued sick leave entitlements.

7.4.4 Make-up time

Subject to your manager's or supervisor's prior consent, you may work 'make-up time'. This means that you take time off during ordinary hours and make up for those hours at a later time during the ordinary spread of hours. For many employees, the ordinary spread of hours is 7:00am to 7:00pm however there may be variations by work group. You should check with your supervisor, the payroll team or Organisational Development.

If agreed, your manager or supervisor will monitor your hours of work to ensure you make up the time.

You are paid make-up hours at your normal hourly wage or salary.

8 Cultural (Religious) and Ceremonial Leave

8.1 Guidelines

You can request time off for the observance of cultural (religious) or ceremonial occasions. You may:

- apply to take Annual Leave; or
- apply for unpaid leave if you don't have any accrued annual leave; or
- request to bank and use RDOs; or
- ask to accrue time in lieu throughout the year for use at a later date for cultural (religious) and ceremonial leave purposes. Time in lieu accruals should be in accordance with Section 26 Time in Lieu.

8.2 Approval considerations

Your leave request will be considered in light of the appropriate staffing levels necessary to meet the operational requirements of your work group.

8.3 Monitoring

If you wish to bank RDOs or time in lieu for cultural (religious) or ceremonial occasions, your manager or supervisor should authorise this and keep appropriate records.

9 Defence Services Leave

9.1 Entitlement

If you are a member of the Australian Military Reserve, you can request to be released to undertake all types of defence service (including training and to actively serve during periods of national or overseas obligations).

When you are on approved defence services leave, you will continue to be paid your normal wage or salary. Council may seek reimbursement from the Australian Defence Force up to and not exceeding your normal wage or salary.

9.2 Application Process / Evidence Required

You should give as much notice as possible of the dates you are likely to be absent from work on defence service. To apply for defence services leave, you need to apply using a paper [Leave Application Form](#) and supply satisfactory written evidence from the Australian Defence Force to your supervisor when you apply for this leave.

9.3 Return to work

You must take a break of at least 10 hours before you return to your normal duties. If you cannot recommence normal duties at the usual time because of this requirement, you will not suffer any loss of pay.

10 Donor Leave

You will be granted time during working hours to donate blood and plasma only where the donation centre is located within the City of Greater Dandenong municipal boundaries. A leave application form is not required.

11 Emergency Services Leave

If you are a member of Recognised Emergency Management body (as defined on page 14) **and** you are required to engage in a 'voluntary emergency management activity', you can request to take emergency services leave.

You will be regarded as being engaged in a 'voluntary emergency management activity' only if you:

- engage in an activity that involves dealing with an emergency or natural disaster.
- engage in the activity on a voluntary basis.
- were either requested to engage in an activity, or it would be reasonable to expect that such a request would have been made if circumstances had permitted.
- are a member of, or have a member-like association with, a Recognised Emergency Management body.

While on emergency services leave, Council will continue to pay you what you would have received had you been at work.

11.1 How much leave can be taken?

There is no set limit on the amount of emergency services leave that can be taken. If you are entitled to emergency services leave you can be absent:

- for the time you are engaged in the 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.

11.2 Notice and evidence requirements

If you wish to take emergency services leave, you must notify your supervisor as soon as practicable (which may be a time after the absence has started). You must also state the period for which you expect to be absent.

You must provide written evidence from the recognised body concerned and submit this with a completed paper [Leave Application form](#) to your manager or supervisor.

11.3 Return to work

You must take a break of at least 10 hours before you return to your normal duties. If you cannot recommence normal duties at the usual time because of this requirement, you will not suffer any loss of pay.

12 Engineering & MCH Professional Development

Time taken for Continuing Professional Development (CPD) undertaken by MCH/Nurse Immunisers or registered engineers will be paid as salary and not leave. Leave requests are not required; however, it is expected that the staff member will seek prior approval from their supervisor prior to taking time. This also applies for time required for compulsory registration and assessments related to maintaining engineering accreditations.

13 Evidence Requirements for Sick Leave, Carer's/Family Leave and Compassionate/Bereavement Leave

13.1 When is evidence required?

13.1.1 Sick leave and Carer's / family leave

You are required to provide a medical certificate or statutory declaration for absences on sick leave, or Carers/family leave, if:

- your absence is for more than 3 continuous working days;
- your absence occurs immediately before or after an RDO, Public Holiday or Annual Leave.

A medical certificate or statutory declaration is always required if you apply to use sick leave in advance for carer's / family leave purposes.

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13.1.2 Bereavement / compassionate leave

You may be required to provide evidence to satisfy a reasonable person that the leave is being taken for the particular circumstances outlined below.

13.2 Content of evidence

If you provide a medical certificate or statutory declaration, the evidence you provide would have to convince a reasonable person that you were, or are, genuinely entitled to the sick leave and/or carer's / family leave and/or compassionate leave, as further set out below:

Type of leave	Content of evidence
Sick leave	You are not fit for work because of a personal illness, or personal injury, affecting you
Carer's/family leave	You need to provide care or support to a member of your immediate family or household who requires care or support because of: - A personal illness, or personal injury, affecting the member; or - An unexpected emergency affecting the member
Bereavement/compassionate leave	You need to spend time with a member of your Immediate Family or Household who - - has contracted or developed a personal illness that makes them seriously ill; or - sustains a personal injury that makes them seriously ill; or - dies; or - a child is Stillborn and would have been a member of your immediate family or household if the child was born alive (this does not apply to a stillborn child of your former spouse or de facto partner); or - you, your spouse or de facto partner has a miscarriage (unless the miscarriage results in a stillborn child)

13.3 Procedure

Immediately after you have formally applied for sick leave and/or carer's / family leave, you must provide the original medical certificate or statutory declaration to your Manager / Supervisor, if you have not already done so.

Before approving your leave application, your manager must sign the original medical certificate or statutory declaration and then forward it to Payroll either by email or internal mail.

13.4 Other circumstances when evidence might be required

If Council is concerned about your use of sick leave and/or carer's / family leave you may be asked to substantiate any future absences on account of sick leave and/or carer's / family leave.

Wherever possible, your Manager / Supervisor will first discuss this requirement with you. You will be given advance written notice (at least one week) that you will be required to provide a medical certificate or statutory declaration to substantiate any future absences. You will also be advised that a review of the requirement to substantiate absences will take place within a reasonable time.

14 Family and Domestic Violence Leave

14.1 Council's commitment

All employees, full-time, part-time and casual, are entitled to paid family and domestic violence leave. If you are experiencing family or domestic violence, you will be treated with sensitivity and your circumstances kept as confidential as possible.

14.2 Internal support

In the first instance, you may choose to seek assistance from one of the following:

- your manager or supervisor
- [one of Council's trained Family Violence Contact Officers](#)
- a member of the Organisational Development (OD) team
- a union delegate.

These people have been trained to give you confidential information about the support Council can provide without intruding into your personal and private life.

14.3 External support

You are encouraged to access ongoing support through Council's Employee Assistance Program (EAP). Council's EAP Provider is **Converge International - 1300 687 327**. Council will meet all reasonable costs associated with EAP assistance. This is a strictly private and confidential service which will provide professional assistance to you and who may refer you to other appropriate agencies.

Alternatively, you may seek support from:

- Police
- Lifeline
- 1800RESPECT
- Sexual Assault Crisis Line
- Women's Domestic Violence Crisis Service of Victoria
- Victorian Nurses HealthProgram

- Victims of Crime Helpline
- Local Victims Assistance and Counselling Program
- Doctor.

These agencies can coordinate the communication of your needs to Council as appropriate.

14.4 Supporting documentation

A request for family violence leave may require supporting documentation. This can be in the form of:

- an agreed document issued by the Police Service, a Court, a Doctor, Registered or Enrolled Nurse, a Family Violence Support Service or Lawyer
- A signed statutory declaration

14.5 Entitlements

To support you, OD will act on any recommendations made by the EAP provider or any specialist agency.

This support could include providing you with up to 20 days paid family violence leave if you need it and / or consideration of flexible working arrangements.

If needed, reasonable additional paid leave up to a maximum of 5 days can be granted, if you have exhausted all of your other leave entitlements.

Paid family and domestic violence leave

- is available, in full, at the start of your employment and on each 12-month anniversary;
- does not accumulate from year to year; and
- is available, in full, to part-time and casual employees (no pro-rata)
- available to casual employees who have already been rostered to work and are no longer available.

If you are a casual employee or employed for a specified period, for a specified task or for the duration of a specified season, the start date of your employment is to be the start of your first period of employment with Council.

You may also use your sick leave entitlements for non-health related family violence matters, for example to carry out necessary activities such as attending a Police Station or Court, moving a child to another school, or other relevant appointments as recommended by EAP or other agencies listed above.

Any leave taken or documentation submitted in relation to family violence matters will be recorded confidentially and de-identified where possible. Any family and domestic violence leave taken will not be recorded on your payslip. Instead, it will be recorded as ordinary hours of work and included in your total salary payment.

15 Gender Affirmation Leave

If you are affirming your gender, you are entitled to 5 days paid leave for a range of purposes such as medical, psychological and legal.

This leave can be taken in a block, or as single days.

15.1 Process for applying for gender affirmation leave

For confidentiality purposes, this will show in Council's payroll system as other leave. Please apply directly through a member of the Payroll or OD team.

16 Jury Service

If you receive a summons to attend Court for jury service, you will be granted jury service leave.

All employees are paid while absent on jury service. Full-time and part-time employees are paid their usual wage or salary for the duration of the absence. Casual employees are only paid for absences on jury service leave on any days already rostered for work as at the date of the jury summons.

16.1 Amount of leave

There is no set limit on the amount of jury service leave that can be taken. You can be absent for the time in which you are engaged on jury service, including reasonable travelling time associated with the jury service and reasonable rest time immediately following the jury service.

16.2 Procedure

As soon as you receive notice that you are required for jury service, tell your manager or supervisor to enable them to make arrangements to cover your absence. If you have already had one or more RDOs approved during your period of absence, you may have these RDOs reccredited, due to the civic duty nature of jury service. Annual leave and long service leave will also be reccredited.

Please obtain a Certificate of Attendance from the Sheriff or Clerk of Courts. Give this Certificate to your manager or supervisor when you apply for jury service leave, as they cannot approve your leave until they have seen the Certificate. Your manager or supervisor must then send the original certificate to Payroll for processing and reconciliation.

17 Leave without Pay

17.1 Guidelines

Leave without pay is an opportunity for employees to take an extended break from work to pursue full-time study, undertake travel/holidays or undertake carer responsibilities.

Before taking leave without pay, you must have used all other available leave accruals and entitlements, or you must use this leave in conjunction with your leave without pay. You are not required to use your sick leave accrual or entitlements.

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Your leave without pay request will be assessed having regard to the operational needs of the department.

The granting of leave without pay will not result in any additional wages, salary or cost to the employing unit.

17.2 Approval procedure

Your manager can approve leave without pay requests for up to 3 months. Your Director must approve leave without pay for any requests exceeding 3 months.

You can negotiate an initial period of leave without pay of up to 12 months (52 weeks) with your relevant manager and have it approved by the Director. You may also negotiate follow-on leave without pay of up to 12 months with your manager. You must also obtain approval from your Director before this additional leave is granted.

You must submit a paper [Leave Application Form](#) before your leave without pay commences. Your leave application form must clearly specify the leave without pay dates and be signed by the Manager and Director if required. You will receive confirmation in writing.

17.3 Impact of leave without pay on defined benefits superannuation

If you are a member of Vision Superannuation's Defined Benefits Fund, you should contact Payroll to discuss your individual circumstances before you apply for a period of leave without pay.

18 Long Service Leave

18.1 Entitlements

On completing 10 years' continuous service (as defined in the Local Government (Long Service Leave) Regulations 2012), employees are granted:

Full time employee	13 weeks
Permanent part time employee	13 weeks pro rata based on hours worked
Casual employees	13 weeks pro rata based on hours worked

18.2 Accruing Long Service Leave

Once you have completed 7 years of continuous service with Council, your long service leave accrual will start appearing on your pay slip. If you work on a part-time or casual basis, your long service leave will accrue on a pro-rata basis according to the hours you work.

18.3 Using your Long Service Leave

You can apply to take Long Service Leave after 7 years of continuous service. A period of long service leave cannot be any less than 1 week. RDO's do not accumulate whilst on long service leave.

18.4 Applying for long service leave

You are required to provide advance notice that you would like to take some long service leave. Ideally, you should give 3 months' notice to allow for operational planning, but you are required give at least 4 weeks' notice.

In exceptional circumstances, for example if you need to use long service leave for a reason other than a leave break, then you should give your supervisor as much notice as possible.

18.5 Options for payment and length of absence

With Council's approval, you may take all or part of your long service leave entitlement as follows:

- Normal pay for the designated period;
- Half the salary for twice the period; or
- Twice the salary for half the period.

This includes where you use your long service leave for sick leave and/or carer's leave. Please contact [Payroll](#) to organise to have your leave paid at half or double pay.

You can request payment in advance of taking the long service leave. Note that your authorised leave form must be received by Payroll **no less than one month prior before you intend starting the long service leave.**

18.6 Public holidays and long service leave

If a public holiday falls during your long service leave, it will not be regarded as part of the long service leave, and you will be entitled to a day off instead of the public holiday.

You may take this additional day by agreement at the end of your long service leave or at a time mutually agreed between you and your supervisor.

18.7 No other employment

During your long service leave, you must not engage in any paid employment unless you have Council's prior approval to do so.

18.8 Prior Service

For long service leave purposes, your prior service with eligible organisations (such as other Councils) may be recognised. If you believe you may be eligible for recognition of prior service, please contact Payroll for further information.

18.9 Cashing out of long service leave

After 7 years of service, you may apply to cash out your long service leave on one occasion only each year, instead of taking that leave.

You must keep a long service leave entitlement of at least 4 weeks.

Cashing out of long service leave can only be at your request.

Your request must be in writing directly to Payroll. There is no need to request through your manager.

19 Pandemic Leave

If you fall sick with a Pandemic Disease (as defined), you will be granted a one-off amount of 5 days of pandemic leave. Note – this does not currently apply to COVID-19.

20 Parental Leave

20.1 Definitions specific to Parental Leave

Appropriate Safe Job	An Appropriate Safe Job is a job that has: - the same ordinary hours of work as the employee's present position or - a different number of ordinary hours agreed to by the employee.
Birth date / Date of Birth	The date on which the baby is actually born.
Due date / Expected date of birth	The date on which a medical practitioner determines the baby is due to be born.
Day of placement	The earlier of the day on which you first take custody of the child, or the day on which you start any travel reasonably necessary to take custody of the child.
Paid Parental Leave – Council	Paid parental leave granted in accordance with Council's Enterprise Agreement to employees who meet the eligibility criteria.
Partner of Primary Carer	Partner refers the other parent or guardian of the child (i.e., not the Primary Carer). For example, it may include the mother or father of the child, spouse including de facto and same sex partners.
Parental Leave A	Leave taken by the Primary Carer (referred to as Maternity Leave in the Enterprise Agreement).
Parental Leave B	Leave taken by the partner / spouse of the Primary Carer (referred to as Paternity Leave in the Enterprise Agreement).

Primary Carer	A person who has or will have the primary responsibility for the care of a child. Either parent may be the primary carer and therefore entitled to 16 weeks paid parental leave. If both parents are employed by Council, then only one parent is entitled to payment as the primary carer. A child's Primary Carer can be: • a birth parent. • an adoptive or permanent care parent. • the partner of the birth mother or adoptive/permanent care parent (including same sex partner); or • the child's other legal parent or their partner (including same sex partners).
Regular casual employee	A 'regular casual employee' is a casual employee who has been employed by Council for a regular and systematic basis over at least 12 months and who would have a reasonable expectation of continuing employment by Council on a regular and systematic basis were it not for the expected or actual birth or placement of the child.

20.2 Eligibility for parental leave (paid and unpaid)

To be eligible for Parental Leave, you must have completed at least 12 months of continuous service with Council on a full-time or part-time basis before:

- the expected date of birth or date of birth if the leave is birth-related;
- the day placement or expected day of placement of the child if adoption or permanent care; or
- when the leave starts, if the leave is taken after another person cares for the child or takes parental leave.

Regular casual employees are also eligible for parental leave. All casual employees are entitled to unpaid pre-adoption leave and unpaid no safe job leave.

For all employees, you must also have, or will have, responsibility for the care of a child.

20.3 General entitlement

Parental leave lets employees take time away from work for the birth or adoption of a child. The term 'parental leave' can include:

- Employer funded paid parental leave
- Government funded Parental Leave Pay
- Unpaid parental leave under the Fair Work Act (FW Act)

Each eligible employee may take up to 24 months of parental leave, some of which may be paid leave under Council's Enterprise Agreement.

You are not entitled to take paid personal/carer's leave or compassionate leave while you are taking parental leave. In addition, you are not entitled to payment for any community service activities in which you engage while on parental leave.

20.4 Taking parental leave

- An employee is entitled **up** to 24 months parental leave if the leave is associated with the birth of a child of the employee or the employee's spouse or de facto partner, or the placement of a child for adoption or permanent care.
- Parental Leave 'A' must be taken in a single continuous period (paid leave, such as paid parental leave or annual leave, may be taken consecutively).
- In the case of a pregnant employee, leave can start up to 6 weeks before the expected date of birth, or earlier if Council and employee agree, or during the 24-month period starting on the date of birth of the child, but in all cases must end during the 24-month period starting on the date of birth of the child.
- If the employee is not giving birth to the child, the period of leave must start and end during the 24-month period starting on the date of birth of the child or the date of placement of the child.

20.5 Paid Parental Leave 'A' – Primary Carer

- A maximum of 16 weeks leave may be taken as paid Primary Carer Parental Leave 'A'.
- This paid leave can be taken as 16 weeks' leave on full pay or 32 weeks at half pay.
- Payment will be made at the time of taking the leave.
- If you are a part-time employee, you will receive payment for paid Parental Leave on a pro-rata basis.
- If you are employed on a fixed term contract or for a temporary period, leave entitlements end on the date on which your employment is due to end.

If you transfer to an Appropriate Safe Job on reduced hours just before starting paid Parental Leave, the paid leave will be calculated as though the reduction had not occurred.

20.6 Paid Parental Leave 'B' – Secondary Carer

You are entitled to a maximum of 6 weeks paid Parental Leave B. This paid leave can be taken as 6 weeks' full pay only, during a 24-month period starting on the date of birth or day of placement. This parental leave must also be taken in 1-week blocks.

Part-time employees receive payment on a pro-rata basis.

If you switch from Secondary Carer to Primary Carer, your 'Parental Leave A' entitlement will be reduced by any period of 'Paid Parental Leave B' you have taken as Secondary Carer. Evidence of switching to Primary carer may be requested.

20.7 Flexible unpaid parental leave

- An employee may take up to 100 days (being the same amount for full-time, part-time and casual employees) of flexible unpaid parental leave.

- Any flexible unpaid parental leave comes out of the employee's 24 months of parental leave.
- This leave must be taken during the 24 month period starting on the date of birth or placement of the child. This includes the period that starts 6 weeks before the expected date of birth of the child.
- An employee is required to state the number of flexible unpaid parental leave days the employee intends to take
 - At least 4 weeks before the intended start date:
 - Confirm the intended start and end dates
 - The number of flexible unpaid parental leave days their taking
 - Advise the employer of any changes to the intended start and end dates (unless it is not possible to do so).

20.8 Unpaid pre-adoption leave

All employees (regardless of their length of service) are entitled to up to two days of unpaid pre-adoption leave to attend any interviews or examinations required for the adoption of a child.

This leave may be taken as:

- a single continuous period of up to two days or
- any separate periods to which the employee and Council agree.

Council may, however, direct you to take another form of leave (e.g. paid annual leave) before accessing your unpaid pre-adoption leave entitlement.

You must give Council notice that you are taking unpaid pre-adoption leave and the expected duration as soon as possible (which may be after the leave has started) and, if required, evidence that would satisfy a reasonable person.

20.9 Application Procedure for Parental Leave

You need to advise your manager or supervisor in writing that you intend taking Parental Leave. This is to be done no less than 10 weeks before your intended departure date (unless it is not possible to do so).

- Discuss your application with your manager/supervisor.
- Include the date you intend to start your leave, your intended return date and any additional leave you will be taking.
- Attach a letter/certificate from your doctor confirming your due date. In the case of an adoption, you should provide documentation such as a statutory declaration which confirms the expected placement date of the child.
- Forward the written request and the certificate of confinement to Organisational Development who will prepare an acknowledgement letter. A copy of your acknowledgement letter will also be emailed to your manager for their information.

At least 4 weeks before the intended start date:

- confirm the intended start and end dates; or
- advise Council of any changes to the intended start and end dates (unless it is not possible to do so).

Where concurrent leave is to be taken in separate periods, these notice requirements apply to the first period of that leave. For second and subsequent periods, the employee must provide the employer with 4 weeks' notice.

20.10 Adoption or placement does not proceed

If the placement of the child for adoption or permanent care does not proceed or continue, you must notify your manager immediately. They will nominate a time for your return to work which will not be more than 4 weeks from receiving your notification.

20.11 Premature birth and birth-related complications

Council and an affected employee may agree to put the employee's parental leave on hold if the child has to remain in hospital after birth or is hospitalised immediately after birth. This includes if the child was premature or developed a complication or contracted an illness during birth or following birth.

This means that while their baby is hospitalised, a parent can return to work and the period where they are back at work will not be deducted from their unpaid parental leave. The parent can then resume their unpaid parental leave at the earliest of:

- a time agreed with Council
- the end of the day when the child is discharged from the hospital or
- if the child dies, the end of the day when the child dies.

The period the employee works doesn't break their period of continuous unpaid parental leave.

Council is entitled to request evidence that would satisfy a reasonable person that the child is in hospital and the employee is fit for work, such as a medical certificate.

20.12 Parental leave for stillbirth, premature birth or infant death

An eligible employee is entitled to take unpaid parental leave under the National Employment Standards if they are the parent of a child who is stillborn or dies during the first 24 months of life. The person can take up to 12 months unpaid parental leave.

The entitlement to unpaid parental leave is not reduced by the amount of any unpaid special maternity leave you take while you are pregnant.

In this situation, you may take compassionate leave while on unpaid parental leave.

20.12.1 Return to work

Council is not permitted to make an employee come back to work or cancel their unpaid parental leave after a stillbirth or infant death.

The employee can choose to return to work if they want to, and can reduce or cancel their planned parental leave.

If the parental leave has not started, the employee can cancel the leave with written notice.

If the leave has started, the employee can give at least 4 weeks' written notice cancelling the leave and providing a return to work date. The return to work date must be at least 4 weeks after the employer receives the notice.

20.12.2 Unpaid special maternity leave

An eligible pregnant employee is entitled to take unpaid special maternity leave if the person is not fit for work because of:

a pregnancy-related illness, or

the pregnancy ends within 28 weeks of the expected date of birth because of a miscarriage or termination.

If you take unpaid special maternity leave because of a pregnancy-related illness, the leave will end when the pregnancy or illness ends, whichever is earlier. If you take leave because of a miscarriage or termination, the leave can continue until you are fit for work.

You must give Council notice you are taking unpaid special maternity leave as soon as possible (which may be after the leave has started), and the expected period of leave.

Council may require evidence that would satisfy a reasonable person (e.g. a medical certificate).

The entitlement to unpaid parental leave is not reduced by the amount of any unpaid special maternity leave you take while you are pregnant.

You may take any accrued paid personal/carer's leave instead of unpaid special maternity leave.

20.13 Special Paid Parental Leave

If you are entitled to take Maternity Leave 'A' under the Enterprise Agreement, you may access Special Paid Parental Leave in conjunction with parental leave or unpaid special maternity leave, as relevant, where:

- (a) your pregnancy ends other than by the child being born alive or where the child dies after birth ("the Event"); and
- (b) where this occurs in the period between the 20th week of the pregnancy and prior to the end of your entitlement to paid parental leave.

20.13.1 Entitlements

Immediately following the Event, you may:

- (a) access up to six (6) weeks Special Paid Parental Leave; or
- (b) if less than 6 weeks of your paid Maternity Leave remains, access Special Paid Parental Leave equivalent to your remaining entitlement of paid Maternity Leave.

In either circumstance, your entitlement to paid Maternity Leave ceases from the date of the Event.

20.13.2 Application procedure

If you are entitled to access Special Paid Parental Leave, please notify your manager or supervisor as soon as practicable. In some circumstances, this may be after the applicable period of leave has already commenced.

Organisational Development should also be contacted for support to access Special Paid Parental Leave, particularly for the provision of support, supporting documentation and establishing the period of leave which may be required. Organisational Development will also confirm the type of support documentation that must be supplied, if required.

Organisational Development may also be able to assist you to understand if you may be entitled to access unpaid special parental leave and/or sick leave in accordance with the Enterprise Agreement.

20.14 Transfer to an Appropriate Safe Job

20.14.1 Entitlement

- A pregnant employee, including a casual employee, has an entitlement to be a transferred to an **'Appropriate Safe Job'** (as defined above), if:
 - arising from advice set out below in 17.13 Evidence, they are fit for work, but it is not advisable for them to continue in their present position for a period because of:
 - illness or risks arising out of the pregnancy; or
 - hazards connected with that position.
- If your pregnancy ends before the end of the risk period, the risk period ends when the pregnancy ends.

20.14.2 If an 'Appropriate Safe Job' is available

If an 'Appropriate Safe Job' is available Council must transfer you to that job for the risk period (until it's safe to go back to your normal job or you give birth), with no other change to your terms and conditions of employment (unless you agree to work a different number of ordinary hours). Council must pay you at your full rate of pay for the position you were in before the transfer and for the hours you work during the risk period. If you work different ordinary hours, you may get different penalties, loadings and allowances (or no penalties, loadings or allowances if none are relevant to the safe job).

20.14.3 If no 'Appropriate Safe Job' is available

- If no 'Appropriate Safe Job' is available; and
- [you qualify under conditions set out by the Fair Work Ombudsman.](#)

you are entitled to take paid 'no safe job' leave for the risk period, and be paid at your base rate of pay for your ordinary hours of work.

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If you do not qualify as above, you may still apply for unpaid 'no safe job' leave for the risk period.

Unpaid 'no safe job' leave will also apply to casual employees, except where the employee is a regular casual employee in which case the 'no safe job' will be paid.

In this case, 'no safe job' leave is paid at your base rate of pay (excluding the casual loading) for the average number of hours you would have worked in the period you are on leave.

If there is no safe job available, the employee can take no safe job leave. If the employee is entitled to unpaid parental leave, no safe job leave is paid.

For a full-time or part-time employee, no safe job leave is paid at the base rate of pay for ordinary hours of work.

For a casual, no safe job leave is paid at the base rate of pay (not including the casual loading) for the average number of hours they would have worked in the period they're on leave.

Employees who aren't entitled to unpaid parental leave can take unpaid no safe job leave.

20.15 Evidence

The entitlement to an Appropriate Safe Job applies if you have provided evidence that would satisfy a reasonable person that:

- you can work but cannot perform your normal job (including why your normal job isn't safe); and
- how long you should not work in your normal job.

Council can ask for this evidence to be a medical certificate.

20.16 Directing employees to take parental leave – pregnant employee working within six weeks before the birth

If you are pregnant and you wish to continue working into the 6-week period before your due date, you will need to provide a Medical Certificate within 7 days stating:

- 1 you are fit to continue to work; and
- 2 if you are fit for work, a statement of whether it is safe for you to continue in your current position because of:
 - illness or risks arising out of your pregnancy; or
 - hazards connected with your position.

If your medical certificate states you are fit for work, but it isn't safe for you to continue in your usual job, then you will be entitled to an Appropriate Safe Job or no safe job leave.

Council may require you to take a period of unpaid parental leave as soon as possible if you:

- 1 do not provide the requested medical certificate within 7 days of Council's request: or
- 2 provide a certificate within 7 days stating you are not fit for any work.

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Accordingly, your unpaid parental leave starts when you are directed to take unpaid parental leave and will count as part of your total unpaid parental leave entitlement.

It is exempt from the rules about when the leave must start, including such requirements that it be taken in a continuous period, and/or notice requirements.

Any 'no safe job' leave ends when the period of parental leave starts.

20.17 Consultation requirements on unpaid parental leave

Employees on unpaid parental leave are entitled to be kept informed of decisions by Council that will have a significant effect on the status, pay or location of their pre-parental leave position. Council must take all reasonable steps to give the employee information about (and an opportunity to discuss) the effect of any such decisions on the employee's position.

The employee's pre-parental leave position is the position they held before starting the unpaid parental leave, or the position they held before they were transferred to a safe job or reduced their hours due to the pregnancy.

20.18 Federal Government Paid Parental Leave Schemes

The above entitlements are in addition to the Federal Government Paid Parental Leave Schemes. Staff are encouraged to contact Australian Government Family Assistance Office (www.familyassist.gov.au) for advice regarding any entitlement under this scheme. Employees may access these in addition to Parental Leave A or B provisions above.

20.19 Return to work

Whilst you are not required to notify Council of your intention to return (as you will have already done so at the time of commencing leave), you are still required to contact your manager no less than 6 weeks prior to your agreed return date. This enables Council to put in place the necessary arrangements for you to return to work and ensure a handover is in place with the person who has been undertaking your role during your leave.

You will have the option of developing a return-to-work plan in conjunction with your manager and with support from Organisational Development.

You may return early from parental leave, if Council agrees. If Council does not agree, then you have to return to work on the agreed date. No notice period is required if you and Council agree on a new return date.

If you cease to have responsibility for the care of a child, Council may give you written notice requiring you to return to work on a specified day.

Extensions to unpaid parental leave

An employee and their partner can take a combined total of 24 months of unpaid parental leave. However, if one person extends their leave beyond 12 months, it may affect the other person's leave entitlements.

When requesting an extension of parental leave beyond the initial 12 months, an employee must state in writing:

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- the amount of unpaid parental leave their partner has taken or will take before their extension starts; and
- if their partner has given notice to take flexible unpaid parental leave, the number of the days their partner is due to take before the extension starts.

Council can:

- agree to the request, or
- discuss and agree with the employee to a different extension period.
- put this in writing to the employee within 21 days of the request being made.

If the request to extend parental leave is refused, Council must:

- respond to the request within 21 days.
- only refuse a request if:
 - a discussion has been held where a genuine attempt has been made to try to reach an agreement, but agreement was not reached.
 - the consequences of refusing the extension have been considered.
 - the refusal is on reasonable business grounds.

The written response must:

- include details of the reasons for refusal, including the particular business grounds and how those grounds apply to the request.
- state an alternative period of extension that would be able to be accommodated or that there is no extension that can be agreed to
- provide information about the dispute resolution provisions the Fair Work Commission has.

The Fair Work Commission has the power to resolve disputes by conciliation, mediation or mandatory arbitration if disputes about flexible working arrangements cannot be resolved at the workplace level.

20.20 Keeping in Touch days

A Keeping in Touch day allows an employee on parental leave to go back to work for Council on a day or part of a day while still on parental leave.

You can access up to 10 Keeping in Touch days, from when you become your child's Primary Carer until the end of your parental leave.

A day, or part of a day, will be considered a Keeping in Touch day if:

- you perform a paid work activity of one hour or more;
- the purpose of the work is to enable you to stay connected with your workplace or transition back into work;
- both you and Council agree to you performing specific work on that day;

- the day is not within 14 days of the date of birth of the child to which the period of leave relates (if the work is requested by you); and
- the day is not within 6 weeks of the date of birth or placement of the child to which the period of leave relates (if the work is requested by Council).

An employee who performs work on a Keeping in Touch day is entitled to payment from Council in accordance with the relevant contract of employment and industrial instrument.

20.21 More information

- [Flexible and Hybrid Work Policy](#)
- [Breastfeeding Friendly Workplace Policy and Guidelines](#)
- [New Parent Information Kit](#)

21 Work-Life Balance Responsibilities – Right to Disconnect

We recognise that in these days of hybrid working arrangements, smart phones and other technology, it can be difficult for employees to disconnect from work. Clause 31(c) of Council's Enterprise Agreement 2022 makes it clear that -

- If people are on leave or RDOs this must be respected
- Employees are not expected to routinely work outside their agreed working hours (but may do so in emergency situations or genuine welfare matters)
- Staff members will not be penalised or otherwise disadvantaged for refusing to attend to work matters outside their agreed hours of work
- Staff members are entitled to 'switch off' after their day's work unless they are 'on call' or under a special arrangement or there's an emergency situation the person is required to respond to.

22 Rostered Days Off (RDO)

22.1 Guidelines

You may be engaged under one of the following RDO arrangements:

One per fortnight	One per month
• One RDO in every 10 working days • Known as a 9 day fortnight • To accrue the time required to take an RDO, eligible employees work an extra 50 minutes each day for 9 days, with the 10th day off (e.g. 8:15am until 5:21pm, 40-minute unpaid lunch break).	• One RDO in every 20 working days • Known as a 19 day month • To accrue the time required to take an RDO, eligible employees work an extra 24 minutes each day for 19 days, with the 20th day off (e.g. 8:30am until 5:00pm, 30-minute unpaid lunch break).

- | | |
|---|---|
| <ul style="list-style-type: none"> The maximum entitlement over a 12-month period is 26 RDO's per year | <ul style="list-style-type: none"> The maximum entitlement over a 12-month period is 13 RDO's per year |
|---|---|

22.2 Accumulating RDOs

You need to work the same number of hours each working day to accumulate RDOs for example if on 19-day month, you must work 8 hours each day other than your RDO day. If you are on a 9-day fortnight, you must work 8.44 hours each day other than your RDO day.

If you would like flexibility in the number of hours you work each day, you will need to come off the RDO system so that we can organise this to be achieved through alternative arrangements such as TIL.

You will usually not be permitted to accrue more than 2 RDOs, unless:

- your Business Unit has other arrangements in place, for example to meet seasonal or other operational arrangements (in which case these arrangements should be confirmed in writing); or
- you and your manager or supervisor have reached prior agreement enabling you to accrue more than 2 RDOs for Cultural (Religious) and Ceremonial Leave needs.

22.3 Procedures

Please seek approval in advance from your manager/supervisor every time you intend taking an RDO, even if the RDO has been provisionally scheduled or rostered. Managers and supervisors have the authority to approve or decline the taking of RDOs subject to business operational requirements.

22.4 Converting an RDO to sick leave

If you are absent on an approved RDO and suffer an illness or injury, you cannot convert this RDO to sick leave.

22.5 No conversion of an RDO to carer's leave

If you are absent on an approved RDO and you are required to care for or support a member of your Immediate Family or household because of a personal illness, or personal injury, affecting the member; or an unexpected emergency affecting the member, you will not be permitted to convert this RDO to carer's leave.

22.6 No conversion of an RDO to compassionate leave

If you are absent on an approved RDO and are unfortunate to have the need to take time off work for compassionate/bereavement leave purposes, you will not be permitted to convert this RDO to compassionate leave. You will still be entitled to the full 6 days of compassionate leave.

22.7 General Information

- When you are on unpaid leave, you do not accrue the additional time each day that counts towards an RDO.
- When you are on Long service Leave you do not accrue RDO hours.

23 Sick Leave

23.1 Entitlements

Employment type	Entitlement
Full time employee – 38 or 35 hours per week	New employees are granted 1 day of Sick Leave on commencement. After they have been employed for 1 month, they are granted another 11 days of Sick Leave (a total of 12 days). Each year on the anniversary date of appointment, full time employees are granted 12 days of Sick Leave.
Permanent part time employee	Permanent part time employees are granted the same entitlement as a full-time equivalent employee but on a pro-rata basis. Leave accrues on all ordinary hours worked up to 38 hours per week. Each year on or around the anniversary date of appointment to your position, Sick Leave balances are adjusted according to any additional hours worked during the year. You are encouraged to contact Payroll if you would like an update on your Sick Leave balance.
Temporary employees	Full time - are granted 1 day of Sick Leave for each completed month of employment. Part time – are granted pro rata Sick Leave each completed month of employment according to their <u>average weekly hours</u>.

23.2 General Information

- Accrued sick leave that is not used during the year is carried over for use in future years.
- Public Holidays that fall within a period of sick leave are not deducted from your sick leave balance.
- When you are on paid sick leave and if you work under an RDO system, you still accrue the additional time each day that counts towards your RDO. Paid sick Leave does not reduce your RDO entitlement/usage.
- When you are on unpaid leave, you do not accrue the additional time each day that counts towards an RDO.
- You can take sick leave for all or part of a normal day of work. The amount of leave for one day's absence is deducted according to your normal hours of work (refer to the table above).

23.3 Notifying sick leave absences

Follow the procedures below and any specific department procedures for notifying absences due to illness:

23.3.1 Unplanned Sick Leave

Council's EA 2022, [Part A, Clause 40 \(c\)](#) requires that you, or where you are unable to do so, a family member or member of your household, must notify your supervisor or manager (and if they are not available, a work team member, or other agreed reporting arrangements within a work unit), as soon as practicable of:

- any absence; and
- the expected length of the absence.

Please do not notify your absence by SMS text message or other electronic means unless this is a last resort.

You must keep your supervisor or manager informed of the date you plan to return to work so that appropriate plans can be made for your return. This may vary depending on the nature of the absence – for example, recovery from surgery may delay regular contact until closer to a practical return to work date.

23.3.2 Planned Sick Leave

Occasionally you may know in advance that you will need to take sick leave, for instance if you are scheduled for a medical appointment or surgery. In these circumstances, you should give your supervisor as much advance notice as possible so that arrangements can be made to cover your absence and to plan for your safe return to the workplace.

23.4 When you have used all sick leave entitlements

23.4.1 Using other leave types

If you have a chronic or serious medical condition and you have used all of your accrued sick leave entitlements, you may access your accrued annual leave and/or long service leave entitlements. Alternatively, you can request a period of sick leave without pay. These types of absences should still be supported by a medical certificate or statutory declaration.

23.4.2 Using sick leave credits in advance

If you have exhausted your accrued sick leave entitlements, you can apply to use up to 5 days of your next year's sick leave credit in advance.

This option is only available once all of your other accrued leave has been exhausted.

Any absence must be supported by a medical certificate or a statutory declaration.

23.5 Converting a period of approved leave to sick leave

23.5.1 Other eligible leave types

If you, or a member of your Immediate Family or Household falls sick or suffers a serious and personal incapacitating illness or injury (excluding an injury for which workers compensation is payable), you may apply to have some or all of your leave converted to sick leave.

If you are on approved

- annual leave,
- carer's/family leave,
- jury service,
- emergency services,
- defense services

you may apply to have some or all of the approved leave converted for the duration of the injury/illness subject to the production of satisfactory evidence.

If you are on **compassionate leave**, the maximum number of days you may have converted back to sick leave is 2 days on each permissible occasion (the NES entitlement).

If the circumstances above are met, Council will:

- deduct the period of illness or injury from your sick leave balance if you have sufficient sick leave entitlements; or
- approve additional annual leave or long service leave equivalent to the period of illness or injury that is covered by the medical certificate.

This does not apply to illness or injury which occurs during any other type of leave including a Rostered Day Off (RDO).

Community Service leave incl Jury service, voluntary emergency management activities or activity required in regulations

24 Special Leave

24.1 Entitlement

You may be granted up to 5 days per year of paid special leave if you have a 'pressing need' to deal with such as a house fire, burglary, flood or other emergency situation.

Special leave is deducted from your Sick Leave entitlements (subject to you having sufficient Sick Leave available).

24.2 Process

You need to apply to your manager or supervisor to take special leave.

25 Study Assistance

25.1 Guidelines

Council is committed to encouraging and supporting all staff to undertake initial or further formal education relevant to their profession or career development. Council has a Study Assistance Policy for this purpose, which you can read by clicking [here](#). Some Business Units, including Community Care and Libraries, have a local Study Assistance procedure.

Managers are required to assess applications for study assistance each calendar year having regard to:

- the benefit to Council.
- the benefit to the employee.
- future department budgetary and operational constraints; and
- satisfactory work performance.

25.2 Eligibility

Study assistance may be available to you if you are:

- a permanent full-time or part-time employee and have completed a minimum of 12 months' service with Council; or
- employed with Council for a temporary period of two or more years and you will complete your proposed course of study within your period of employment.

Permanent part time employees are eligible for study assistance on a pro-rata basis proportional to the equivalent full-time entitlement.

25.3 Entitlements

Study assistance provides for:

- a maximum of 4 hours per week (pro rata for part time staff) during working hours to travel to and attend lectures and tutorials.
- leave to travel to and attend examinations which are held during working time.
- half day paid study leave immediately prior to the end of year/semester exam for study purposes.
- reimbursement of fees up to a maximum of \$2,000 per annum, subject to evidence of satisfactory completion of the subjects to which the fees apply.

25.4 Procedures

Before applying for study assistance, you must discuss your request with your manager or supervisor.

You must apply for and have your study assistance application approved by your Manager, before the course starts. You can make an application online using PULSE Learning or complete the online form - ["Study Assistance Application"](#).

Wherever practicable, you should undertake as many study components as possible outside your normal working hours.

Because approval of study assistance is not ongoing for the entire course of study, you need to make a new application for study assistance each calendar year. Prior approval of study assistance does not guarantee approval of future requests for study assistance.

Once approved by your manager, your online form will automatically go to Organisational Development for acknowledgement and saving in Objective.

25.5 Reimbursement of fees

At the completion of each subject or semester, give your manager or supervisor original receipts for fees (including HELP scheme) together with a statement of results. Your manager or supervisor will authorise payment and send the paperwork to Finance to arrangement reimbursement to you.

26 Time in Lieu

26.1 Guidelines

Please refer to the [Overtime & Time In Lieu Fact Sheets](#) in The Source which detail the time in lieu accrual for most employees, and how to enter this correctly in UConnect.

You may only accrue a maximum of 38 hours of time in lieu at any point in time.

Time in lieu is separate from accruing and taking rostered days off.

26.2 Taking time in lieu

Time in lieu must be taken at a mutually convenient time. You need to obtain your manager's or supervisor's approval prior to taking time off. They will consider your application having regard to operational requirements.

26.3 Alternative arrangements

Alternative arrangements to the above may be put in place subject to operational requirements, (i.e., seasonal workers). The relevant Director must approve any such alternative arrangements in writing and send details to [Payroll](#).

27 Volunteer Leave

27.1 Entitlement

If you are a full-time or part-time employee, you may apply for up to one day of paid leave (pro-rata for part time staff) each financial year to engage in volunteering activities.

27.2 Eligibility criteria

To be eligible for paid volunteer leave, your application must meet the following criteria:

- The volunteering must benefit the residents of Council's municipality.
- You can only volunteer in a not-for-profit organisation (as defined by the Australian Taxation Office); and
- The volunteering must take place with an organisation which is located with the City of Greater Dandenong.

27.3 More information

If you are considering a volunteering opportunity, please refer to Council's [Paid Volunteer Guidelines](#) for detailed instructions.

28 Work-Life Balance Responsibilities – Right to Disconnect

We recognise that in these days of hybrid working arrangements, smart phones and other technology, it can be difficult for employees to disconnect from work. Clause 31(c) of Part A of Council's Enterprise Agreement 2022 makes it clear that -

- If people are on leave or RDOs this must be respected
- Employees are not expected to routinely work outside their agreed working hours (but may do so in emergency situations or genuine welfare matters)
- Staff members will not be penalised or otherwise disadvantaged for refusing to attend to work matters outside their agreed hours of work
- Staff members are entitled to 'switch off' after their day's work unless they are 'on call' or under a special arrangement or there's an emergency situation the person is required to respond to.