

# Bundarra Contracting Pty Ltd Leave Policy



**BUNDARRA  
CONTRACTING** PTY  
LTD  
**ABN: 14 098 100 559**

#### HISTORY OF AMENDMENTS

Version	Date	Author	Description of Change
1	04/05/2017	Bundarra Contracting Pty Ltd	First Edition



## Leave Policy

### 1. Purpose

- 1.1 Bundarra's Leave Policy provides the policy for staff taking annual leave, personal/carers' leave, unpaid carers' leave, bereavement leave, community service leave and long service leave.
- 1.2 Bundarra's Leave Policy aims to ensure that all employees are aware of the requirements for notification and documentary evidence for taking a period of leave. It also provides guidelines that Bundarra will use to administer these policies.
- 1.3 Bundarra encourages all employees to establish a balance between their working and personal lives and flexible workplace practices. Effective leave management, including leave liability, is critical to the operation of Bundarra.
- 1.4 This policy outlines Bundarra's expectations for the taking of paid and unpaid leave.

### 2. Scope

- 2.1 This policy applies to all employees of Bundarra; however, some entitlements will not apply to casual employees. This policy does not apply to other workers, such as contractors or volunteers.
- 2.2 This policy is not incorporated into and does not form part of any employee's contract of employment. This policy also does not create any enforceable rights for employees.
- 2.3 This policy is not intended to override the terms of the applicable legislation, award or contract of employment that may apply to an employee.

### 3. Annual Leave

- 3.1 Annual leave entitlements are provided in accordance with the National Employment Standards (NES) and relevant award.
- 3.2 In the interest of employee wellbeing, Bundarra encourages employees to take their annual leave annually.
- 3.3 The following procedure applies to annual leave:
  - (a) Annual leave is to be taken for a period agreed between the employee and Bundarra. Bundarra will not unreasonably refuse a request for annual leave from the employee. However, authorisation is discretionary and subject to the operational requirements of the workplace.
  - (b) Employees must complete a Leave Application Form which may be approved by their supervisor. The completed Leave Application Form should be submitted to the supervisor a minimum of **four weeks** prior to the planned leave;



- (c) Applications for urgent leave due to unforeseen circumstances may be approved at the discretion of the employee's supervisor. If urgent leave is approved, the employee must submit a Leave Application Form immediately upon return to work.
- 3.4 Bundarra may direct employees to take leave in accordance with the *Fair Work Act 2009* (Cth) or any applicable award.
- 3.5 Upon termination with Bundarra, employees will be paid all accrued annual leave as at the date of termination. An employee may not apply for leave during his/her notice period, unless otherwise approved by Bundarra.
- 3.6 This clause does not apply to casual employees.

#### **4. Personal/Carer's Leave**

- 4.1 Personal/carer's leave entitlements are provided in accordance with the NES and the relevant award. Personal/carer's leave can either be taken as sick leave or carer's leave.
- 4.2 Casual employees are not entitled to paid personal/carer's leave.

#### **5. Paid Personal/Carer's Leave**

- 5.1 In order to access an entitlement to paid personal/carer's leave, an employee must do the following:

- (a) As soon as reasonably practicable, employees must notify their supervisor **by telephone** that they will be absent from work and the reason for their absence (i.e. sick or carer's leave) and the length of time they expect to be away from work. Specifically:

- If the employee has a scheduled flight booked to site, the employee should make reasonable endeavours to notify their supervisor **by no later than 4pm the day prior to the scheduled flight.**
- If the employee is onsite, the employee must notify their supervisor no later than **2 hours** before the employee's rostered commencement time.
- In situations where the supervisor is not available at the time of the notification, a message may be left with [**specify the alternative person**].
- Employees are expected to telephone their supervisor themselves and other methods of communication such as text message or email will not be acceptable unless the specified method cannot be followed in the circumstances.

- (b) Provide proof to satisfy a reasonable person:

- Absences of more than one day require a medical certificate.



- A medical certificate may also be requested for one day at the supervisor's discretion.
  - Absences for any Friday or Monday taken as sick leave, require a medical certificate unless Bundarra specifically requests otherwise.
- (c) If the employee has/will taken more than one day of personal leave, the employee **should telephone their supervisor by 4pm** the day before the employee expects to return to work, to confirm their return.
- (d) Upon return to work, employees must provide their supervisor with a completed Leave Application Form.
- 5.2 For the purpose of sick leave, Bundarra considers that a current certificate from a medical practitioner dated at the time of the absence and stating the duration of the absence satisfies the proof requirements. If a medical certificate is not reasonably practicable, then the employee must provide a statutory declaration stating the reasons for the absence and the expected duration of the absence.
- (a) The medical certificate or statutory declaration must be provided to the employee's supervisor on the day the employee returns to work.
- 5.3 For the purpose of carer's leave, reasonable proof includes:
- (a) In the case of illness or injury of a member of the employee's immediate family or household:
- A current certificate from a medical practitioner dated at the time of the absence and stating the duration of the absence indicating that the member had a personal illness or injury during the period of leave; or
  - A statutory declaration which includes a statement that the employee required the leave to provide care or support to an immediate family or household member because of a personal illness or injury.
  - The medical certificate or statutory declaration must be provided to the employee's supervisor on the day the employee returns to work.
- (b) In the case of an unexpected emergency, a statutory declaration which includes a statement that the employee was required the leave to provide care or support to an immediate family or household member because of an unexpected emergency affecting that person.
- 5.4 Bundarra may also request reasonable proof of the relationship if an employee is accessing carer's leave.
- 5.5 In applying this policy, Bundarra will take into account extraordinary circumstances where it is not possible to comply with the notice or evidence requirements.



## **6. Unpaid Carer's Leave**

- 6.1 Where an employee has exhausted their entitlement to paid personal/carer's leave, or where the employee is a casual employee, the employee is entitled to two days of unpaid carer's leave for each occasion where a member of their immediate family or household requires care or support due to:
- (a) A personal illness or injury; or
  - (b) An unexpected emergency affecting the member.
- 6.2 The same notice and evidence requirements apply to unpaid carer's leave as apply to paid carer's leave as outlined above at clause 5.

## **7. Compassionate Leave**

- 7.1 Compassionate leave is provided in accordance with the NES or applicable award.
- 7.2 Staff should advise their supervisor as soon as is reasonably practical of their intention to take compassionate leave. Whenever possible staff should advise their supervisor at **least 2 hours prior to the commencement of their shift** and indicate the expected duration of the absence.
- 7.3 In order to be entitled to compassionate leave, an employee must provide evidence to satisfy a reasonable person of the illness, injury or death. Bundarra may also require the employee to provide proof to satisfy a reasonable person of the relationship between the employee and the person they are taking compassionate leave for.
- 7.4 Upon return to work, the employee must provide their supervisor with a completed Leave Application Form.
- 7.5 Casual employees are not entitled to paid compassionate leave.

## **8. Community Service Leave**

- 8.1 Community Service Leave is provided in accordance with the NES and relevant State legislation to attend:
- (a) Jury service; or
  - (b) A voluntary emergency management activity with a recognised body to deal with an emergency or natural disaster.
- 8.2 Employees must notify their supervisor as soon as reasonably practicable of their intention to take leave and advise the period (or expected period) of the absence. The employee must also complete a Leave Application Form.
- 8.3 To be entitled to community service leave, employees must provide proof to satisfy a reasonable person that they have been or will be engaged in an eligible community

service activity. For employees on jury service, they must provide an attendance certificate.

## **9. Long Service Leave**

- 9.1 Long service leave is provided in accordance with the *Long Service Leave Act 1958* (WA).
- 9.2 Casuals are also entitled to long service leave, provided their service with Bundarra has been continuous over the qualifying period.
- 9.3 Employees are encouraged to take their long service leave as soon as reasonably practicable after the entitlement becomes due, subject to agreement between the employee and Bundarra.

## **10. Breach of Policy**

- 10.1 Employees are required to comply with the requirements of this policy before payment for the leave requested will be approved.
- 10.2 Failure to comply with this policy and meet the notification and documentation requirements in this policy may result in disciplinary action, up to and including termination. However, Bundarra will take into account situations where an employee could not comply with the policy because of circumstances beyond the employee's control.

## **11. Variation**

- 11.1 Bundarra reserves the right to vary, replace or terminate this procedure from time to time.