4.3 ANNUAL LEAVE

INTRODUCTION
The purpose of annual leave is to provide a period of paid leave during which a staff member may have a sustained break from the workplace. Staff are encouraged to take a period of annual leave each year. Annual Leave entitlements and arrangements for staff at UTS are explained in these guidelines.


ELIGIBILITY AND ENTITLEMENT
All continuing and fixed-term staff are entitled to paid annual leave. Full-time staff are entitled to 20 working days of annual leave per annum, accrued pro-rata on the basis of service. Service excludes periods of leave without pay.

Part-time, part-year (support) and sessional (academic) staff are entitled to pro-rata accrual of the full-time rate.

Casual staff are paid a loading in lieu of leave entitlements and are therefore not entitled to paid annual leave.

Support staff shift workers who work 26 or more ordinary shifts on Sunday and/or public holidays between 1 December one year and 30 November the next year will be entitled to an additional five days annual leave at their ordinary rate of pay.

ANNUAL LEAVE BALANCE
You can view and project your annual leave balance by logging into Employee Self Service in neo at http://www.neo.uts.edu.au/. Your annual leave balance also appears on your online payslip.

PROCEDURE FOR TAKING ANNUAL LEAVE
Staff are encouraged to take their annual leave for their well-being and to promote a healthy workplace. Staff are expected to plan their annual leave in advance and must seek approval from their supervisor before taking annual leave. Annual leave may be taken as it accrues subject to approval. The minimum amount of annual leave that can be taken is one hour.

Planning for Annual Leave
The timing of your annual leave and arrangements associated with your workload need to be discussed between you and your supervisor as part of your workplan. You should give your supervisor as much notice as possible of your intention to take annual leave, discussing with them workload demands in order to establish a time convenient both to you and your work area.

Academic staff will normally take annual leave during non-teaching periods.

As far as practicable, security staff will take annual leave outside of teaching and examination periods.

Applying for Annual Leave
It is your responsibility to apply for leave through Employee Self Service in neo and ensure that you have your supervisor’s approval of your request for leave before taking annual leave.

Variations to your annual leave must be made by completing an “Application to Cancel or Amend a Leave Request” available from http://www.hru.uts.edu.au/manual/forms/conditions.html and sending it to Payroll.
If you do not submit a leave application when you have taken leave, your supervisor may submit a leave application on your behalf. You will receive a notification via neo that the leave has been entered. Taking leave without submitting an application could be deemed unacceptable and unethical behaviour and the University may take appropriate action where there is evidence of such behaviour.

Approval Of Annual Leave
Your supervisor must consider your application for annual leave in a timely manner and will discuss your leave plans as part of your annual workplan. Your supervisor has authority to approve annual leave and can decline your annual leave application;

- if the period of leave has not been identified within your workplan and/or;
- the period of the leave coincides with a peak period for the work unit as established in advance in writing or by custom and practice, or
- other staff members within the work unit have already requested and received approval for leave during the same period and approval of your request would impact significantly on the capacity of the work unit to perform its functions.

Your supervisor will give reasons for declining an application for annual leave and will discuss with you alternative options for the timing of your annual leave.

For academic staff, approval to take leave during teaching periods will not normally be granted, unless agreed as part of a staff member’s annual workload allocation arrangements.

If you and your supervisor cannot agree on a time to take annual leave then you can ask your supervisor’s manager for advice and a decision if necessary.

PURCHASED ANNUAL LEAVE
Purchased leave provides flexibility for you to supplement your existing annual leave entitlements to meet your individual needs. The purchased leave arrangement provides a period of unpaid leave that is funded by salary deductions spread evenly over a 12 month period. This allows you to continue to receive pay during such leave.

The Purchased Leave provisions are contained in Clause 10 Individual Flexible Arrangements of the UTS Support Staff Agreement 2010 and the UTS Academic Staff Agreement 2010.

To be eligible to purchase leave you must have a continuing or fixed-term contract of 12 months or longer when you enter into the purchased leave agreement. Approval will be conditional on operational requirements as determined by your supervisor. Your leave plans should be discussed with your supervisor as part of your annual plan.

You may purchase either two weeks (ten days) or four weeks (twenty days) additional leave. These amounts are pro-rated for part-time. Applications to purchase leave must be completed on the Purchased Leave Agreement Form http://www.hru.uts.edu.au/manual/forms/conditions.html which must be approved by your supervisor

Purchased Leave Agreement
Your Purchased Leave Agreement will be effective from the commencement of the pay period in which your purchased leave salary deductions are initiated. Purchased leave salary deductions will be made for 12 months from the effective date of the Purchased Leave Agreement and the purchased leave must be taken within the same 12 months period. Purchased leave counts as service for all purposes. All paid leave taken during the purchase leave period will be paid at the reduced rate.

The salary deduction equivalent to the value of the purchased leave will be based on your ordinary hours and actual salary. Your fortnightly salary deduction will be adjusted in accordance with any changes to your salary that occur during the year such as salary increases, reclassification or progression, etc.
Affect of Purchase Leave on Superannuation
Your compulsory employee and employer superannuation will be calculated at the reduced rate of salary (ie after the purchased leave deduction has been made.) You are advised to seek financial advice on the impact of Purchased Leave on your Superannuation. For members of a Defined Benefit scheme the reduction in your salary may have a long-term impact on your benefits.

You must use all the annual leave that accrues within the 12 month period of the Purchased Leave Agreement, unless otherwise agreed with your supervisor. At the completion of the agreement any purchased leave not used will be subsumed into your annual leave.

Terminating a Purchased Leave Agreement
In some cases it may be necessary to terminate a purchased leave agreement. The University will give a staff member written notice indicating the reason if it becomes necessary to cancel an agreement.

Your Purchased Leave Agreement may be cancelled in the following circumstances:

(a) due to exceptional circumstances at your request and with the agreement of your supervisor; or
(b) if you have been unable to take the purchased leave within the period of the Purchased Leave Agreement due to operational requirements; or
(c) if your employment arrangements change (for example, change to mode of employment, secondment, transfer or appointment to new position, etc); or
(d) if you take a period of leave without pay and this results in your fortnightly salary being reduced below the level of a purchased leave salary deduction for one or more fortnights; or
(e) if you cease to be employed by UTS.

You must give at least 14 days' written notice indicating the reason, if you wish to cancel your Purchased Leave Agreement.

Where your Purchased Leave Agreement is cancelled the University will:

(a) for any purchased leave that has not been taken, refund the salary deductions (equivalent to the balance of such leave) to you as a lump sum in the next available pay period
(b) for any purchased leave taken and for which equivalent salary deductions have not been made, take action to recover the salary deductions equivalent to the amount of such leave from any payment due to you and/or through direct repayment by you.

If you wish to purchase further leave you must renegotiate a new Purchased Leave Agreement with your supervisor. Purchased leave agreements will not be rolled over and you must reapply each year on a new application.

MAXIMUM ACCRUAL OF ANNUAL LEAVE
A staff member may accumulate up to 40 days annual leave (pro-rata in the case of part-time staff).

If you accumulate more than 40 days annual leave and have not applied for leave which will reduce your balance below 40 days, you will be given six months written notice (for senior staff the notice period is not prescribed) by your supervisor that you must take annual leave of at least 10 days. Your supervisor's notice will specify the commencement and termination dates of a period of annual leave. You will be given the opportunity to propose alternative dates for the annual leave, provided that the total period is not less than that specified by your supervisor. Subject to operational requirements, you and your supervisor may agree to the alternative dates. This process will reduce your leave balance to less than 40 days once you return to work from the leave.

You will be regarded as being on leave for the period specified by your supervisor or agreed between yourself and your supervisor. Your leave credits will be reduced accordingly whether you take the leave or not.
CASHING OUT OF ANNUAL LEAVE
Support staff who have more than 20 days leave accrued and academic staff who have more than 30 days (pro-rata for part-time) may apply to have some of that leave cashed out. Academic staff may cash out a maximum of 10 days leave.

To be eligible to cash out leave you must also take annual leave that is equal to or greater than the period that you wish to received as cash. Staff must retain an entitlement to at least 20 days for support staff and 30 days for academic staff to be taken as annual leave in the year that leave is cashed out.

If you elect to receive your leave as cash, you will be paid a lump sum on the pay day that follows the commencement of your leave. Cashed out leave will be subject to PAYG tax and attract Superannuation Gaurentee Contribution (SGC) superannuation. Your leave accrual record will be adjusted to account for the hours of leave taken and the amount cashed out.

Applications to cash out leave must be completed on a Cashed Out Leave application form http://www.hru.uts.edu.au/manual/forms/conditions.html and be approved by your Dean or Director on recommendation of your supervisor.

SICKNESS WHILE ON ANNUAL LEAVE
If you are ill for a period of five consecutive days whilst on annual leave, you can have that period of sick leave recredited as annual leave. This is dependent on you having available sick leave, notifying your supervisor at the earliest opportunity and providing a medical certificate. Applications for recrediting of annual leave must be made by filling in an “Application to Cancel or Amend a Leave Request” available from http://www.hru.uts.edu.au/manual/forms/conditions.html. The completed form, signed by your supervisor must be submitted to Payroll.

ANNUAL LEAVE ON TERMINATION OF EMPLOYMENT
On resignation or at the end of a fixed-term contract (unless your contract specifies that you must take all your leave during the term of your contract) you will receive payment for any outstanding annual leave you have accrued.

ANNUAL LEAVE LOADING
The annual leave loading is incorporated into all rates of pay contained in UTS collective agreements.

AFFECT OF OTHER LEAVE ON ANNUAL LEAVE
The use of other types of leave may impact on the accrual of your annual leave balance as follows:
> leave without pay – annual leave does not accrue
> sick leave without pay – annual leave accrues at the normal rate (for academic and support staff only)
> long service leave (half pay) – annual leave accrues at half normal rate
> parental leave (half pay) – annual leave accrues at half normal rate
> The Federal Government’s Paid Parental Leave payment - annual leave does not accrue.

LEAVE DURING CHRISTMAS – NEW YEAR CLOSURE
Special leave conditions during the Christmas- New Year closure are outlined in clause 28 of the Support Staff Agreement 2010 clause 24 of the Academic Staff Agreement 2010 and clause 17 of the Senior Staff Group Collective Agreement 2007. In summary, staff are granted leave on the basis of:
> the designated public holidays (Christmas Day, Boxing Day and New Years Day)
> three days on full pay without any deduction from any leave account. There is no need to submit a request for leave.
Where a staff member is required to work on any of the three days provided by the University, the supervisor and the staff member will agree to an alternative day/s leave on full pay.

**CONTACTS**
For assistance in relation to annual leave please contact the following:

**Leave balance enquiries** If you wish to query your leave balance in neo (the HR/Payroll System) contact your Payroll Officer.

**Payroll staff** contacts at [http://www.fsu.uts.edu.au/contact/index.html#payroll](http://www.fsu.uts.edu.au/contact/index.html#payroll)

**Staff enquiries** Staff Services on email staffservices@uts.edu.au or extension 1060

**Supervisor enquiries** Your HR Partner.

**Human Resources Unit** contacts at - [http://www.hru.uts.edu.au/services/services.html](http://www.hru.uts.edu.au/services/services.html)


**APPROVALS**

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<td>Director HRU</td>
<td>Jennifer Gilmore</td>
<td>Workplace Relations &amp; Policy Specialist, HRU</td>
<td>Virginia Thomas</td>
<td>Extension 2166</td>
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**REVISION/MODIFICATION HISTORY**

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