

2023 Leave Policy- Japan

General leave policy

Unless specified otherwise, employees referred to in this policy mean permanent full-time or part-time employees. Casual employees are not entitled to paid leave unless it is indicated otherwise in this policy.

All employees are entitled to leave in accordance with the relevant awards or agreements and statutory provisions. Where the entitlements or practices in this document conflict, the applicable award, workplace agreement, employment contract or employment law takes precedence.

All planned leave has to be mutually agreed, and take into account workloads and the employee's needs. Leave must be approved 20 working days in advance, except when the employee can't anticipate the absence. Any documents regarding leave will be kept on the employee's personnel file unless it is indicated otherwise in this policy.

Annual leave policy

Each full time employee is entitled to 20 days paid annual leave a year, entitlements are calculated from the date they started work and accrue in accordance with workplace relations legislation or industrial instruments. Part time employees accrue paid annual leave on a pro-rated basis based on the number of hours worked.

Annual leave is cumulative and if untaken, is paid out on termination of employment.

Annual leave counts towards continuous service (used when calculating long service leave). Applications for annual leave are required to be lodged 20 working days in advance.

An employee is expected to take accrued annual leave for business close down periods. If insufficient leave is accrued, Flashbay Pty Ltd may direct the employee to work, or pay annual leave in advance of being accrued. See below *.

Flashbay Pty Ltd will decide on a case-by-case basis whether it will agree with an employee to 'cash out' annual leave as permitted by workplace relations legislation or any industrial instrument.

In some circumstances, employees may be allowed to take paid annual leave in advance of what leave has been accrued. * This is conditional on the employee agreeing to the business deducting any advance payment that has been made but is still not accrued in

the event of termination, or in some circumstances to the employee accepting leave without pay.

Personal (sick) leave policy

Each full time employee is entitled to a minimum of 10 days of paid personal/carer's leave every 12 months which can all be taken as carer's leave if required. Paid personal leave accrues at the rate of 1.2 days per month of service and is cumulative, but if untaken, is not paid out on termination of employment.

Part time employees accrue paid personal leave on a pro-rated basis based on the number of hours worked.

An employee should notify his/her manager as soon as possible if they are unable to attend work due to illness or injury. To be eligible for paid leave, Flashbay Pty Ltd will require a medical certificate to be provided as evidence.

At Management's discretion, should a medical certificate or Statutory Declaration or reasonable evidence not be supplied where deemed necessary, the employee may be denied payment for that episode of leave taken.

It is always ideal for an employee to arrange personal appointments out of work hours however Flashbay Pty Ltd understands that this cannot always be the case. Flashbay Pty Ltd requests 24 hours notice should you feel a personal day be deemed necessary. Management have the right to ask your reasons for the requested time however understand and accept an employee's right to privacy and discretion.

Carer's leave policy

Paid carer's leave is available to an employee for the care or support of an ill family or household member or, if an unexpected emergency affects a family or household member. It is considered part of your personal/carer's (sick) leave entitlement and is to be dealt with as detailed above.

Employees are entitled to take up to two days unpaid carer's leave for each occasion of family or household member illness or unexpected emergency, however an employee cannot take unpaid carer's leave if they could instead take paid carer's leave.

Compassionate leave policy

Compassionate leave is paid leave taken by an employee to spend time with a family member/member of the employee's household, who has a personal illness, or injury, that poses a serious threat to his/her life, or after the death of a family member/member of the employee's household.

Each employee is entitled to a period of two days paid compassionate leave for each occasion where a family member has died, or the employee needs to spend time with a seriously ill family member. Additional unpaid leave maybe granted at management discretion.

Parental Leave

Please refer to the Company's Parental Leave policy.

Public Holidays

In accordance with the Fair Work Act 2009 (Cth), where you are ordinarily rostered to work on a day a public holiday falls but don't work, you will be paid for that day.

Where allowed by the Modern Award relevant to an Employee's employment, the Employer may require that an employee works on an Australian public holiday and substitute that day for another day off.

At Flashbay, Employees will observe the national public holidays of the territory to which they primarily sell. Where there are fewer nationally observed public holidays in the relevant territory than in Australia, additional days of annual leave will be granted to equalise the public holiday count with that of Australia.

Where there are more nationally observed public holidays in the relevant territory than in Australia which applies to the Japan territory, days of annual leave must be used on all such days. This is applied to ensure that the statutory requirements for paid days leave are applied equally to all territory account managers.

The following days are public holidays in Australia: New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Christmas Day and Boxing Day, and any other gazetted public holidays in the relevant State or Territory in which you are employed.

In 2023, the Japanese Public Holidays that will be taken as days off by all effected Employees and recorded as annual leave are:

Respect for the Aged Day - Sep 18th 2023

Sports Day – Oct 9th 2023

Culture Day – Nov 3rd 2023

Labour Thanks Giving – Nov 23rd 2023

These days and dates may vary from year to year, but the assignment of annual leave to days taken in alignment to Japanese Public holidays that are in excess of any Australian Public Holiday entitlements remain applicable. This may vary based on which Australian state or Territory the Employee is based in.

Long service leave policy

Employees are entitled to long service leave in line with the long service leave laws that are relevant for the state or territory they are employed within.

Leave without pay policy

Management has the discretion to approve leave without pay that an employee is not otherwise entitled to.

Jury duty policy

An employee is entitled to paid leave for jury duty in accordance with the minimum amounts and durations specified by the relevant state or territory legislation or per a relevant Award or Agreement.

Emergency services leave policy

If an employee needs to take temporary absence from work because of voluntary emergency management activities (for example, as a volunteer dealing with an emergency or natural disaster as a member of SES, CFA or Army Reserve) then they should ask management for leave as soon as possible after they become aware of the need to take leave. If an employee has no leave accrual to draw upon, this will be taken as unpaid leave.

Flashbay Pty Ltd will support such activities wherever possible, as an important community service. Flashbay Pty Ltd may require evidence of these activities at its discretion.

Family and Domestic Violence Leave

From August 1st 2023, all employees, including casual employees, may be eligible to take up to 10 days paid family and domestic violence leave in a 12 month period in accordance with the Fair Work Act 2009 (Cth).

Employees are entitled to take the full 10 days upfront, meaning they don't have to accumulate it over time. Family and Domestic Violence leave does not accumulate from year to year and it is not paid out on termination of employment.

All employees, including casual employees, will receive payment at their full rate of pay for the hours they would have worked had they not been on family and domestic violence leave. For a casual employee, their full rate of pay is inclusive of the casual loading.

An employee may take paid leave to deal with Family and Domestic Violence if the employee:

- is experiencing Family and Domestic Violence; and

- needs to do something to deal with the impact of the Family and Domestic Violence; and
- it is impractical for the employee to do that thing outside their ordinary hours of work.

The reasons for which an employee may take family and domestic violence leave include making arrangements for the safety of the employee or the safety of a Close Relative (including relocation), attending urgent court hearings, or accessing police services.

An employee must give the Company notice of the taking of family and domestic violence leave as soon as practicable and provide details on the period or expected period of the absence.

If the Company requires an employee to provide documentary evidence in relation to a period of family and domestic violence leave, the employee must provide the Company evidence that would satisfy a reasonable person that the leave is taken to deal with Family and Domestic Violence and it is impractical for the employee to do that thing outside their ordinary hours of work. Depending on the circumstances such evidence may include a document issued by the police service, a court or a family violence support service, or a statutory declaration.

To maintain confidentiality, safety and privacy, any documentary evidence provided will need to be sighted by the General Manager or a delegated person only and will not normally be recorded or retained in that employee's file. Their leave will be recorded and paid as normal work day/s, but a separate record of the days taken will be kept.