
Leave Policy

Introduction

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 consider workloads and the employee's needs. Planned 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.

Scope

This policy applies to all full-time and part-time employees of Flashbay Pty Ltd. Casual employees are not entitled to any type of paid leave.

Annual Leave

Each full-time employee is entitled to 20 days 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 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 an employee to take unpaid leave.

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, leave in advance of what leave has accrued may be approved. This is conditional on the employee agreeing to the business deducting any advance in the event of termination, or to the employee accepting leave without pay.

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 in which they primarily work.

The number of Public Holidays in different territories changes each year. Where there are fewer nationally observed public holidays in the relevant territory than in Australia, additional days of annual leave will be granted to equalize the public holiday count with that of Australia.

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

Personal (sick) Leave

Each full-time employee is entitled to a minimum of 10 days of 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 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

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for paid leave, employees will be required to provide a medical certificate as evidence.

At Management's discretion, should a medical certificate 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

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

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.

Emergency Services Leave

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 Policy

If an employee takes Family and Domestic Violence Leave under the Family and Domestic Violence Leave clause, which takes effect from the first full pay period on or after 1 August 2018, they have to let Management know as soon as possible. This can happen after the leave has started. Employees also need to inform Management how long they expect the leave to last.

<https://www.fwc.gov.au/documents/decisionssigned/html/2018fwcfb3936.htm>

Employees are entitled to 5 full days of unpaid Family and Domestic Violence Leave. The 5 days allowance renews every 12 months but does not accumulate from year to year if unused.

Flashbay Pty Ltd can ask an employee for evidence that shows the leave was taken to deal with family and domestic violence. Evidence is required for as little as 1 day or less off work. If the employee does not provide the requested evidence, they may not get Family and Domestic Violence Leave. The evidence must convince a reasonable person that the employee took the leave to deal with the impact of family and domestic violence.

Long Service Leave

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

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

Jury Duty

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.

Monitoring this policy

It is important to note that the Company may vary or amend this policy from time to time particularly to take account of changes in the law, best practice or business requirements. This document shall be revised by the appropriate person, the HR Manager or nominated deputy. You will be notified of any changes.