

STATEMENT

The Resource Recovery Group encourages staff to access their leave entitlements to promote employee wellbeing and productivity and effectively manage the financial liability of excess leave accruals..

SCOPE

This Policy applies to all employees of Resource Recovery Group.

OBJECTIVES

1. To ensure all employees receive their leave entitlements in accordance with the relevant industrial instrument and contract provisions.
2. To provide guidelines for ensuring leave entitlements are taken within appropriate time-frames.
3. Promote the positive benefits of taking leave when it becomes due.

DEFINITIONS

Term	Definition
LSL	Long Service Leave
Deed of Compromise	Written agreement between Resource Recovery Group and the employee where the employee has chosen to relinquish the taking of leave in return for a cash payment in lieu of that leave
Continuous Service	Service under an unbroken contract of employment and includes any period of leave or absence authorised by Resource Recovery Group or by an industrial agreement, contract of employment of the <i>Minimum Conditions of Employment Act 1993</i> . Periods of Leave With Out Pay (LWOP) will break continuous service, however approved unpaid leave such as unpaid Parental Leave will not.
Industrial Instrument	Award of industrial agreement registered by the WA Industrial Relations Commission

ROLES AND RESPONSIBILITIES

Regional Council

Are responsible for monitoring the Chief Executive's leave management as part of the annual performance review.

Chief Executive Officer

Is responsible in managing all employee leave in accordance with prescribed Legislation, Agreements, Contracts and Guidelines. The CEO reports his leave arrangements to the Chairperson, or in the absence of the Chairperson to the Deputy Chairperson.

Managers / Supervisors

Are responsible for employee leave plans and ensuring that employees are encouraged and able to use their accrued leave promptly and regularly.

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Human Resources

Are responsible for assisting employees with the practical aspects of taking their leave entitlements and ensuring that accrued employee leave is taken in a timely manner and in accordance with policy.

Assistant Accountant

Is responsible for the accurate accrual of employees leave entitlements.

Employees

Are responsible for ensuring that they use their leave entitlements in accordance with this policy and the relevant Industrial Instrument.

CONTENT

Annual Leave

Annual leave shall be given and taken in period that are mutually convenient to the employer and the employee and, except as provided below, within twelve months of the date when the accrued leave is due.

Operational staff receive leave loading in addition to the base rate of pay during periods of annual leave to compensate for shift loading, allowances and overtime, refer to the relevant industrial agreement for further details.

Requirement to take annual leave – excessive accrual and annual close-down

An employer may require an employee to take annual leave by giving at least four weeks' notice in the following circumstances:

- a. As part of a close-down of its operations; or
- b. Where more than eight weeks' leave is accrued, and providing four weeks' notice is given by the employer, an employee may be requested to take annual leave provided that the employee retains a balance of at least eight weeks.
- c. In special circumstances, an employee may apply in writing to the CEO to be granted an extension.

Payment in Lieu of Annual Leave

Employees may request payment in lieu of annual leave as provided for in their applicable Industrial Instrument. In all cases:

- The employee must provide the employee with a written election to cash out the annual leave;
- The rate of pay at which the annual leave is paid out must be at least the rate of pay that the employee is entitled to receive at the time of making the election; and

The employer authorises the employee to forget the amount of leave.

➤ **2021 SMRC RRRC Enterprise Agreement**

Employees may cash out annual leave but must retain a balance of at least four weeks leave entitlement.

➤ **2020 Local Government Industry Award**

Employees may cash out annual leave provided:

- An agreement must not result in the employee's remaining accrued entitlement to paid annual leave being less than 4 weeks.
- The maximum amount of accrued paid annual leave that may be cashed out in any period of 12 months is 2 weeks.

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Long Service Leave

Having regard to the provisions of the Local Government (Long Service Leave) Regulations, the following shall apply:

Employees who are eligible for LSL may request the following leave arrangements -:

- a. Take 13 weeks leave at normal pay (paid in advance or f/nightly)
- b. Take half pay but double the time (6mths leave) (reg 6A)
- c. Take half leave but double the pay (6.5weeks) (reg 6B)
- d. Leave can be taken in one consecutive period, or if the worker and employer so agree, in 2 or more separate periods (reg 7(1)(d))

Employees must provide a written application giving at least two month's notice of the date from which the LSL is to be taken.

Approval of periods of long service leave that are greater than 20 working days or involve the taking of leave at half pay or double pay, are subject to CEO's approval (or in the case of the CEO, the Council). Options "b" to "d" are only approved at such times mutually convenient to the employer and the employee and, except as provided below, within six months of the date when the accrued leave is due.

In special circumstances, and with the consent of the CEO, an employee may apply in writing to the CEO requesting to defer the taking of any entitled LSL, or any part thereof not taken after 6 months when the leave was due.

Where the LSL has been postponed beyond the period of 6 months when it was due to meet the convenience of the employee, the rate of payment for that leave shall be the rate applicable at the end of the six months,

Where the LSL has been postponed beyond the period of 6 months to meet the convenience of the employer, the rate of payment for that leave shall be the current rate applicable at the time of commencing leave.

General Leave Entitlements

Unless specified above, all leave entitlements are as per the employee's contract of employment, Southern Metropolitan Regional Council Regional Resource Recovery Centre Enterprise Agreement 2021, Local Government Industry Award 2020 Industrial Agreement or any other employee legislation or regulations in force at the time.

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REFERENCES & REVIEW

Statutory Compliance	<ul style="list-style-type: none"> ▪ <i>Minimum Conditions of Employment Act 1993</i> ▪ <i>Local Government (Long Service Leave) Regulations</i> 	
Organisational Compliance	<ul style="list-style-type: none"> ▪ Employee Awards or Contracts ▪ Local Government Industry Award 2020 industrial agreement ▪ Southern Metropolitan Regional Council Regional Resource Recovery Centre Enterprise Agreement 2021 	
Related Documents	<ul style="list-style-type: none"> • All relevant HR policies and procedures • Leave Application Form • Request for Leave Deferral Form • Request for Payment In Lieu of Taking Leave Form 	
Next Revision Date	June 2025	
Policy Administration	Responsible Officer	Review Cycle
Corporate (HR)	Manager Governance & Culture	Biennial
Risk Rating	Medium	
Location of document	RRG Website – Members Area Staff Intranet RRG, 9 Aldous Place, Booragoon – Corporate Services CVC, 350 Bannister Road, Canning Vale – staff room	

DOCUMENT CONTROL REGISTER

Date	Review	No.	Author	Resp Officer	Council
2007	Original	1	MAF	MAF	24/8/2007
2009	Review	2	HRO		
2012	Review	3	DCS	DCS	26/07/2012
2014	Review	4	EMCS	EMCS	28/08/2014
2016	Review	5	EMCS	EMCS	28/04/2016
2019	Review	6	EMCS	EMCS	27/06/2019
2021	Review	7	HRM	EMCS	27/05/2021
2023	Review	8	HRO	MGC	25/05/2023

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