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Leave Policy

This policy outlines the entitlement to various forms of paid and unpaid leave available to eligible employees and the process for approval.

1 Scope

This policy applies to all employees (excluding Board Members) of Electrotechnology Training Institute Limited and ECA Legal Pty Ltd (herein referred to as (ETI).

Effective as of November 11, 2024.

2 Purpose


The purpose of this policy is to provide guidance on the application and approval process for all leave types.

This policy exists in conjunction with an employee's contract of employment, any applicable industrial instruments, company policies and procedures (namely Code of Conduct), and the laws in the areas in which we operate.

3 Definitions and Entitlements

The following table describes leave entitlements for permanent full-time employees per year under the *Fair Work Act 2009 (Cth)*. For part-time or fixed term contract employees, these entitlements apply on a pro-rata basis.

LEAVE TYPE	PERIOD
Annual (Recreation)	20 working days per year (accruing)
Personal (illness, injury and carers leave).	10 days per year (accruing)
Community Service (Jury Duty and Emergency Service)	As required
Defence Reserve Service	Service provided by Reserve members of the Australian Defence Force (ADF)
Paid Family and Domestic Violence leave	10 days of paid family and domestic violence leave in a 12-month period. Does not accumulate from year to year if it's not used.
Long Service	Each state and territory have different LSL legislation – visit the Fair Work website: Long Service Leave .
Unpaid Parental / Adoption	Up to 52 weeks (unpaid) with option of once off extension of up to an additional 52 weeks
Compassionate	2 days for each relevant occasion.
Leave without pay (LWOP)	Depends on individual circumstances
Study leave	Depends on individual circumstances

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4 Responsibilities Before Leave Commences

Wherever practicable, all employees must ensure they have completed the following before leave commences:

- complete all tasks which have been assigned to them or arrange for these to be delegated to another member of staff after consulting with the relevant manager.
- communicate with relevant staff of their absence, including support staff, managers, and other colleagues.
- Activate “out of office” email replies for internal emails and only when necessary for external emails, stating the period of absence from work and the contact details of the relevant person in their absence.
If you do need to activate for external emails, please confirm with your line manager. This is a cyber security precaution; and
- turn on phone diverts to relevant persons (for example, manager, support staff and/or persons assigned their workload for the period).

ETI understands that the actions listed above cannot always be completed prior to absences particularly when taking personal, carers and compassionate leave and ETI will be sympathetic to the relevant circumstances.

5 Annual Leave

Permanent full-time employees are entitled to four weeks (20 working days) leave per calendar year. Part-time permanent employees are entitled to a pro rata amount of annual leave and casual employees are not entitled to annual leave.

Public holidays that fall during the period of annual leave will not be counted as annual leave. Payment for annual leave is at the same rate as ordinary earnings.

Employees are responsible for monitoring their annual leave balances and should endeavour to take annual leave in the year that it accrues. Before applying for annual leave, employees must refer to their payslip, 2Cloud9 or seek advice from payroll to determine their accrued entitlement.


There is an expectation that employees will consider the timing of their leave applications and, wherever possible, annual leave should coincide with periods of low workload. Employees are also expected to cooperate with directions by management to take annual leave from time to time.

If an annual leave application is denied by an employee’s manager, the manager must provide reasons for the refusal and discuss alternative times for the leave to be taken that suit both parties.

5.1 Excessive Leave Accruals

Employees with eight or more weeks of unused annual leave accrued may be required to attend a meeting with their direct manager to develop a strategy for leave reduction with a view to the employee taking some, or all, of their leave at a mutually convenient time.

If a mutually convenient time cannot be decided, employees may be directed to take annual leave by their direct manager by the giving of four weeks before the leave is due to commence.

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5.2 Applications for Annual Leave

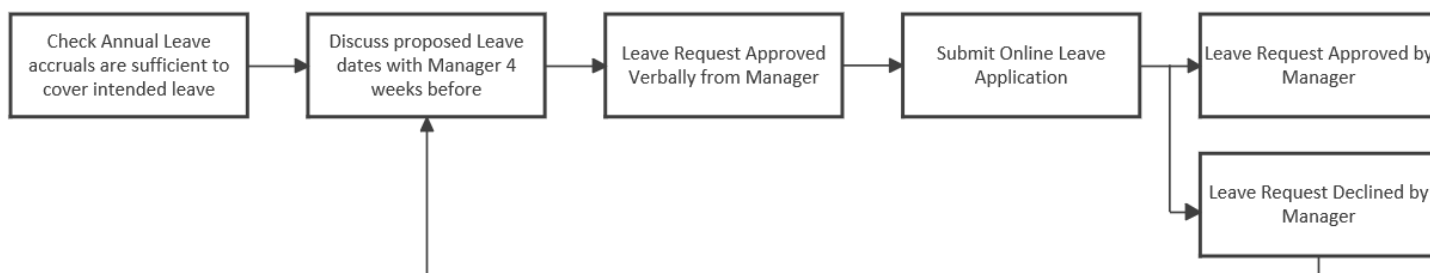
All Annual Leave applications should be discussed with your manager prior to completing an online application. An online leave application must then be completed for all absences from work, specifying the intended start and end dates of the leave and the type of leave required for the period. The online leave application can be completed via your personal log in, with your personal email address, to 2Cloud9 at <https://eti.my.site.com/Community/s/login/>

Where practicable, employees should give one month's notice of their intention to take annual leave for more than 2 days to allow for necessary workload planning. ETI understands that this is not possible in all cases and extenuating circumstance will be accepted. An employee's manager can approve a request for annual leave once they are satisfied that the leave can be accommodated and is in line with an employee's accrued entitlement.

5.3 Refusal of Leave Applications

An application for annual leave may not always be granted (except in cases of unpaid parental / adoption leave where employees are eligible to take such leave). If an application is denied by an employee's manager, the manager must provide reasons for the refusal and discuss alternate times for the leave to be taken that suit both parties. Approval or refusal of a leave application will depend on the type of the leave requested, the individual circumstances of the employee (including their current leave balance) and the needs of the organisation.

Annual Leave Application Process



6 Purchased Leave


The ability to purchase Annual Leave aims to give employees the flexibility to achieve a better work/life balance. All permanent employees and fixed term employees on a contract exceeding 12 months at ETI and ECA Legal Pty Ltd, excluding apprentices, are eligible.

Employees have the option to apply to sacrifice 1.923% of their annual salary to gain one (1) extra week of annual leave per year, provided their annual leave accrual is less than four (4) weeks at the time of the application.

For more information see ETI's [Purchased Leave Policy](#)

7 Shut-down Period

It is standard practice for ETI to close for business for approximately a 2-week period between the ETI Christmas Function and the 2nd week of January each year. These days (exclusive of public holidays) are to be taken as annual leave. Employees will be notified by their managers

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mid-year of the dates of the Christmas shutdown for that year. It is important that all employees take account of these compulsory leave days when planning their leave.

Select roles (i.e. payroll) will be required to work over this break and those employees affected will be notified by their managers.

8 Personal Leave

Personal Leave includes Sick Leave and Carer's Leave. Permanent full-time employees are entitled to take 10 days per annum. Permanent part-time employees will be entitled to a pro-rata amount depending on the number of hours they work in a week.

Personal/carers' leave accrues on a pro-rata basis and is cumulative from year to year. Personal leave is not paid out at any time including in the event of resignation or retirement from the organisation.

8.1 Sick Leave

Sick leave is available for personal illness or injury. This does not include routine appointments, check-ups or visits. Managers have the right to refuse if this is not met and Annual Leave will need to be used.

Where sick leave entitlements have been exhausted, any accrued Annual Leave will be used. In the event there is no Personal or annual leave remaining, leave without pay arrangements will apply.

8.2 Evidence Requirements for sick/carers' leave

Employees may be requested by their direct manager to produce a medical certificate for a period of absence from work if reasonable to do so. The medical certificate must be issued by an Australian registered General Practitioner (GP). Certificates of absence and certificates issued by other practitioners including nurses and pharmacists will not be accepted.

Reason for the request might include any of the following instances (without limitation):


- where the absence occurs directly after a period of annual leave, on a day either side of a weekend, or either side of a public holiday.
- where an employee on annual leave is ill or injured during this period and wishes to claim personal/carers' leave for the period and restore their leave balance.
- where the absence taken exceeds two days consecutively.
- where an employee is claiming carer's leave; and
- where an employee is taking planned sick leave to provide certainty around the expected dates of absence from a medical professional.

If an employee does not produce an acceptable medical certificate upon request by their manager, they will not be paid for personal/carers' leave and will have an option of using another type of accrued leave or can take unpaid leave.

8.3 Unplanned Sick Leave Notification Procedure

Where employees know that they will need to be absent from work due to a short-term illness, the employee must (where practicable):

- Notify their manager as early as possible:

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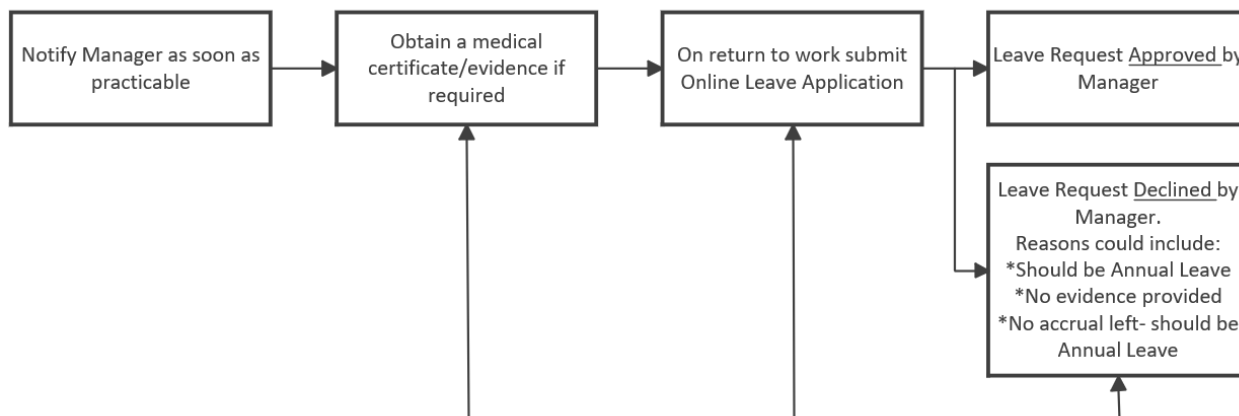
The employee's manager will advise the employee of the best form of contact, either telephone, text and/or email in the occurrence of unplanned leave.

The employee is to notify their manager to advise of their condition and likely return to work date. This should be done as early as possible on the morning of their first day of absence from the workplace. If the employee cannot contact their manager, they should try and contact another team member.

- **Advise of deadlines and pending tasks which will affect the team:**
Advise their manager (or other staff member who is available) of what deadlines, tasks, appointments, and meetings they have which will need to be cancelled, postponed, or delegated and who should be advised of these changes.
- **Reception to be advised (where appropriate to the organisation):**
The employee who has been advised of the absence (manager or other team member) must notify reception of their absence. Reception is responsible for putting an out of office message on the absent employee's phone and/or diverting calls and placing a message on the organisation's intranet to advise all staff with the details of the person to contact in their absence.
- **Updates:**
The employee must keep ETI updated of any changes to their expected return date.

Please refer to the section below for a discussion of the procedure when an employee does not have enough leave accrued for the period of leave proposed to be taken.

Personal Leave Process- Unplanned



8.4 Planned Sick Leave


An employee may require leave in the following instances:

- where an employee needs to undergo surgery or other medical procedure; and
- where an employee has been directed by a medical practitioner that they need to take a specified amount of time off work.

Sick leave is only available if an employee is unfit for work because of illness or injury. Accordingly, the company may require an employee to take paid annual leave where the precondition for taking such leave does not exist.

Where there is enough sick leave accrued to cover the proposed absence from work:

If an employee has enough sick leave in their leave balance, they should follow the same process to apply as applying for Annual Leave as stated above. The employee and the

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manager are then to discuss whether the leave request can be accommodated having regard to:

- the urgency and seriousness of the planned sick leave;
- the work schedule at the time leave is requested; and
- any other matter which is deemed relevant in the circumstances.

If a manager refuses the request, they must provide reasons immediately with the intention of finding an alternative period as close to the dates the employee requested.

Once satisfied that the leave request can be accommodated, the manager must approve the leave application.

Where there is **not** enough sick leave accrued to cover the absence:

Where the period of sick leave extends beyond the employees accrued entitlement to sick leave, the employee is to discuss this with their direct manager. A period of unpaid leave will only be approved if:

- The leave is discussed with the manager
- The employee complies with the notification and evidence requirements as stated in this Policy, and
- There is no other paid leave owing to the employee, i.e. Annual Leave

8.5 Carer's Leave

Carer's leave may be taken if an employee is required to provide care or support to a member of their immediate family, or a member of their household, who requires care or support because of:

- a personal illness, or personal injury, affecting the member; or
- an unexpected emergency affecting the member.

An employee will be entitled to unpaid carer's leave of up to two days on each occasion when a member of their immediate family or household requires support because of an illness or injury or because of an unexpected emergency. This entitlement only applies if the employee is not entitled to, or has exhausted their entitlement to, paid personal/carer's leave or Annual Leave.


The employee shall, if required, produce a statutory declaration or medical certificate establishing that the person concerned needed the employee's care or support.

9 Leave Without Pay

Where possible, employees requesting unpaid leave will need to provide 4 weeks' notice before the period of unpaid leave being requested is to commence. ETI understands that this requirement cannot be met in all circumstances, particularly in emergencies or situations relating to an employee's health and will be sympathetic to individual circumstances.

All employees, including casual employees, are entitled to unpaid carer's leave to care for a member of their immediate family or household. For more information visit [Unpaid carer's leave](#).

Requests for leave without pay are to be submitted to an employee's manager for consideration. Managers will have regard to upcoming work, current projects and other work scheduling which will affect the business when making these decisions. Unpaid leave is not an entitlement and will be assessed/approved on a case-by-case process.

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10 Study Leave

Permanent employees on full-time appointments maybe eligible, (CDP requirements) to apply for study leave. Study leave applications are to be supported by your Manager and General Manager and approved by the CEO up to 1 week per 12 months.

The length of paid leave granted depends on the nature of the course and the time required for it to be completed. This will be determined in consultation with your Manger and General Manager.

11 Community Service Leave

Employees have a right to unpaid and paid leave to undertake eligible community service activities such as jury service and emergency service duties. Employees must notify the organisation of the expected period of absence as soon as practicable.

The company may require the employee to provide reasonable evidence that the absence from work is because they are engaging in an eligible community service activity.

Employees required to attend jury duty will continue to receive their regular salary payment during the period of jury service. The employee is required to complete a claim form received during Jury Duty and submit to payroll. ETI will then be able to claim the reimbursement.

12 Family and Domestic Violence Leave

Family and domestic violence means violent, threatening, or other abusive behaviour by an employee's close relative that:

- seeks to coerce or control the employee
- causes them harm or fear.

All employees, including part-time and casual employees, may be entitled to 10 days paid family and domestic violence leave in a 12-month period to enable them to do something to deal with the impact of this, and it is impractical to do so outside of their ordinary hours of work. For example, this could include:


- making arrangements for their safety, or the safety of a close relative (including relocation)
- attending court hearings
- accessing police services
- attending counselling
- attending appointments with medical, financial or legal professionals.

For more information see ETI's [Family and Domestic Violence Support Policy](#).

13 ADF Reserve Services Leave

ETI employees/workers may use Military Leave Without Pay (MLWOP) to cover their period of absence to take part in ADFR service, for the purpose of completing the annual qualifying period obligation.

ETI employees/workers may elect to use annual leave, long service leave or a combination of accrued leave at the employee's discretion to cover any period of absence for ADFR service.

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13.1 ETI will ensure:

- All managers are familiar with this policy and the relevant sections of the *Defence Reserve Service (Protection) Act 2001*;
- That with the exception of continuous full time ADFR service, MLWOP is treated as service with ETI for the purpose of calculating accrued leave (e.g. Annual, Personal/Carer's and Long Service Leave) and other entitlements;
- That any absence on MLWOP will not break the employee's continuity of service;
- The employee/worker does not suffer any disadvantage as a result of undertaking ADFR service; and
- Where necessary, ETI will contact the employee's ADFR unit point of contact to discuss operational requirements being affected by ADF Reserve service commitments.

13.2 Employees/workers will ensure:

- ETI is notified of their ADFR status upon commencement of employment, or when he or she becomes a member of the ADFR;
- ETI is notified at the start of each working year (or as soon as possible) of their intended ADFR service commitment, including training and deployments for the coming year;
- ETI is notified as soon as possible once a service commitment has been confirmed;
- ETI is provided with written ADFR notification of the requirement to take part in ADFR service. The written notification should be accompanied by an applicable leave application if the employee/worker elects to take leave in accordance with this policy;
- Provide ETI with the details of an appropriate ADFR Unit point of contact; and
- Every effort is made to resolve ADFR service-related issues with their direct manager. When resolution is unsuccessful, the employee/worker should utilise ETI's Grievance Resolution Procedure.

13.3 Application for ADF Reserve Services Leave

Eligible employees/workers are required to inform their manager or HR of a confirmed ADFR service commitment as soon as they are notified.


ETI will confirm in writing, the employee's ADFR status and the applicability of this policy to the employee's circumstances.

An online leave application is then required to be submitted for final approval from their manager as Annual Leave, Long Service Leave or MLWOP or combination as previously discussed with their manager.

13.4 Further Information

- Regional Defence Reserve Support State or Territory Manager, 1800 803 485 or <https://www.defencereservessupport.gov.au/>
- Office of Reserve Service Protection for information or guidance on matters relating to the Defence Reserve Service Protection Act 2001, 1800 671 998.

14 Long Service Leave

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Managers of employees taking approved Long Service Leave need to prepare a strategy for covering the employee's role for the period of absence with regard to whether responsibilities can be absorbed by the team or if additional resources are required and any potential effects on current projects and future plans.

In Western Australia, employees are entitled to 8.6667 weeks on full pay after each period of 10 year's continuous service. A further 4.333 weeks of long service leave will be accrued for every 5 years of continuous employment after the initial 10 years.

Further Information on Long Service Leave visit <https://www.commerce.wa.gov.au/labour-relations/long-service-leave-0>

ETI offers additional Long Service Leave as part of the Loyalty Program. Please refer to [the Employee Benefits Book](#) for further information.

14.1 Applications for Long Service Leave

Employees who intend to take their accumulated Long Service Leave must first check their payslip/2Cloud9 to ensure they have enough long service leave accrued or seek advice from the payroll department having regard to the relevant qualifying period for this type of leave.

Employees who have an entitlement to take Long Service Leave must first discuss proposed dates with their manager and then complete an online leave application with a minimum of 2 months' notice for anything over 1 week. Managers need to consider applications having regard to work scheduling, planning and management of other leave requests during the same period.

15 Parental Leave

ETI is committed to providing opportunities for employees to balance work and family commitments by providing unpaid parental, adoption leave.

15.1 Entitlement and Eligibility


Unpaid parental/adoption leave is available to full-time, part-time, and eligible casual employees who, or whose spouse or de facto partner experience the birth of, or adoption of, a child or children.

Access to unpaid parental/adoption leave is conditional on an employee being responsible for the care of the child and having completed at least 12 months' regular, systematic and continuous service with ETI at time of the leave taking place.



For more information see ETI's [Parental Leave Policy](#)

Reference Documents/Links:

- [ETI Code of Conduct](#)
- [ETI Online Leave Application](#)
- [ETI Purchased Leave Policy](#)
- [ETI Purchased Leave Application Form](#)
- [ETI Parental Leave Policy](#)
- [ETI Family and Domestic Violence Support Policy](#)
- [Unpaid carer's leave](#)

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- [Long Service Leave](#)

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