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### Rationale and Scope

In order to support its commitment to a family friendly workplace and work/life balance, the University offers a variety of flexible working arrangements. Purchased leave provides employees with the increased flexibility of an additional two (2) or four (4) weeks of leave in a given twelve (12) month period as prescribed in Clause 70.1.2 of the *University of New England General and ELC Teachers Collective Agreement 2009-2012*.

### Definitions

**Agreement** means the *University of New England General and ELC Teachers Collective Agreement 2009-2012*.

**Employee** means a General staff member or an English Language Centre Teacher, who is covered by the *University of New England General and ELC Teachers Collective Agreement 2009-2012*.

### Principles

This policy is based on principles of equity, procedural fairness, transparency of administrative processes, and accountability.

### Policy

#### Entitlement

- 13.11.1 An employee with at least twelve (12) months still available on their contract may apply to purchase additional leave. For staff with less than 12 months on their current contract, other flexible arrangements may apply – see Clause 15 of the Agreement
- 13.11.2 Part-time employees will be eligible to apply to purchase additional leave on a pro rata basis.
- 13.11.3 The amount of purchased leave will be either two (2) weeks or four (4) weeks.
- 13.11.4 Supervisors should take into consideration the workloads and priorities in the work area, the University's commitment to flexibility and work/life balance, and the impact on other staff in the areas in making a decision regarding the application.
- 13.11.5 Normal provisions will apply when the Supervisor is determining whether to approve any period of leave. For example, if several employees in a work area request leave during school holidays, the fact that one of those employees has purchased leave available will not give them preference for that period.

### Effect of Purchased Leave on Other Entitlements

- 13.11.6 Purchased leave will be funded by a reduction in the employee's ordinary rate of pay, which will be reduced by the number of weeks of purchased leave and then annualised at a pro rata rate over the 12 month period. For example, where an employee purchases an additional four weeks of leave, their salary will be reduced to approximately 92% of the full-time rate.
- 13.11.7 Purchased leave will, in effect, reduce the employee's service fraction. (ie. the employee will work less than full time for the period covered by the purchased leave). As a consequence:
- 13.11.7.1 All leave entitlements will accrue on a pro rata basis.
  - 13.11.7.2 Both contributory and non-contributory superannuation will be reduced to reflect the adjusted service fraction.
  - 13.11.7.3 Periods of leave taken will be paid at the rate of pay relevant during the period of purchased leave.
  - 13.11.7.4 Periods of Higher Duties for which the employee is entitled to a Higher Duties Allowance will be paid at the adjusted service fraction.

### Commitment to a Full Twelve Month Period

- 13.11.8 A variation will be made (in writing) to the employee's contract of employment to cover the twelve (12) month period during which the purchased leave applies.
- 13.11.9 Except in exceptional circumstances, no other formal flexible arrangements will be available once the twelve (12) month averaging period commences. Flexitime and other informal flexible arrangements will continue to be available.
- 13.11.10 An employee who is offered and accepts a transfer, secondment or a new position within the University during a purchased leave year will need to negotiate with the new supervisor and have the new supervisor's approval prior to them taking their purchased leave arrangements with them into the new position.
- 13.11.11 The averaging process applied during the agreed twelve (12) month period means that both purchased leave and annual leave may be taken in advance of accrual. To reconcile this, an employee availing themselves of the provision for purchased leave **must** take their full leave entitlement during the twelve months during which the provision applies. That is, the employee must take all five (5) weeks of their normal annual leave and all of their purchased leave.
- 13.11.12 Where, in exceptional circumstances, the employee is unable to take all their leave during the twelve (12) month period of purchased leave, any outstanding leave must be taken as soon as practicable. A new period of purchased leave must not be commenced until all previous leave is taken. **Under no circumstances can leave be carried over into a new period of purchased leave.**
- 13.11.13 An employee may also take previously accrued annual leave or long service leave in accordance with the normal notice requirements for those types of leave during the period the purchased leave applies. However, it should be noted that any additional leave taken will be debited against the employee's leave balance, and be paid, at the reduced service fraction.
- 13.11.14 An employee who leaves the employment of the University during a purchased leave year will either be required to repay the value of any leave taken in advance of accrual, or will be paid out any untaken leave on departure.

### Procedures

- 13.11.a An employee wishing to purchase additional leave should discuss the practicality of such leave with their supervisor and, where appropriate, with their colleagues, considering the issues outlined in Clauses 4 and 5 of the Policy.
- 13.11.b The employee should consider the implications of applying for purchased leave on their Superannuation and should seek independent financial advice before proceeding. (Note: Human Resource Services can provide factual information but cannot provide advice to individual employees in these circumstances.)
- 13.11.c The employee may then apply, in writing, to their supervisor to purchase two (2) or (4) weeks of additional leave. A pro forma application, together with a checklist for employees, is available at: <http://www.une.edu.au/hrs/handbook/13/13.11a.doc> .
- 13.11.d In their applications, an employee must provide a schedule of when they intend to take both annual and purchased leave. If the employee intends to take additional leave, such as Long Service Leave, this should also be included on the schedule.
- 13.11.e The schedule will be used, by the Supervisor, to consider the impact on workload within the area and other staffing arrangements. The schedule is not a binding leave application but should be as accurate a prediction of the leave as possible, such that changes would be for exceptional or unforeseen reasons.
- 13.11.f The supervisor will consider the needs of the work area, and the impact on other staff in the area, and make a decision regarding the application. This may include meeting with the employee about any issues, concerns or changes at least two weeks before the arrangement is expected to begin.
- 13.11.g Where a supervisor approves in principle an application for purchased leave, they must forward the application to the Head of Cost Centre for final approval. A Head of Cost Centre will provide written advice to the employee of the approval or otherwise of the application. Where approved, copies of the application and the approval should be forwarded to Human Resource Services who will issue a variation to the employee's contract of employment.
- 13.11.h Where a supervisor or Head of Cost Centres declines an application for purchased leave, they must advise the employee, in writing, explaining the reasons for refusal. Copies of the application and the refusal, including the justification, should be forwarded to Human Resource Services for inclusion on the employee's file.
- 13.11.i Where more than one staff member in a work location has purchased leave approved, the supervisor will ensure that staffing needs can be met and that the timing of leave is determined equitably.
- 13.11.j Purchased leave will be applied for through Web Kiosk. It will be the employee's responsibility to book the leave as either annual leave or purchased leave according to their schedule, and the joint responsibility of the employee and the supervisor to ensure that the full periods of both types of leave are exhausted during the twelve (12) month period.

### Further Information

HR Client Services	Faculty of Arts & Sciences	ext. 3319 or 3947
	Faculty of the Professions	ext. 3824 or 3433
	Central Administration	ext. 2511

### References

*University of New England General Staff and ELC Teachers Collective Agreement 2009-2012*, Clause 70.1.2.