



Procedure: Other leave

Purpose

To inform staff of their entitlement and the procedures for the taking of other leave types.

Procedure

1. Subject to the eligibility criteria as outlined below, staff may apply for the following leave (paid and unpaid) provided in accordance with the ANU Enterprise Agreement, the Staff Leave policy and the National Employment Standards.

Leave Type	Qualification	Entitlement & accruals	Conditions
Family and domestic violence leave	All staff (except casual professional and casual sessional academic staff)	<p>The amount of family and domestic violence leave granted will be determined by the staff member's individual circumstances through consultation with the Chief People Officer (Director – Human Resources).</p> <p>The entitlement will be no less than provided under the National Employment Standards i.e. 10 days' paid leave and 5 days' unpaid leave in a 12-month period.</p>	<p>Provided via confidential application to the Chief People Officer (Director – Human Resources).</p> <p>Refer to clauses 2-7 below for further information.</p>
Family and	Casual	Paid and unpaid family	Provided via confidential

domestic violence leave	professional and casual academic staff	<p>and domestic violence leave in accordance with the National Employment Standards. i.e. 10 days' paid leave and 5 days' unpaid leave in a 12-month period.</p> <p>Casual employees will be paid at their full pay rate for the hours they were rostered to work in the period they took leave.</p>	<p>application to the Chief People Officer (Director – Human Resources).</p> <p>Requires supporting evidence of the rostered casual hours that could not be worked.</p> <p>Refer to clauses 2-7 below for further information.</p>
War service	All staff (except casual professional and casual sessional academic staff)	<p>Special credit of 9 weeks' sick leave at commencement</p> <p>Additional sick leave credit of 15 days with accrual up to maximum of 45 days</p>	Staff who served full time overseas as a member of the Australian Defence Force in an operational area described in Sch.2 of the <i>Veteran's Entitlements Act 1986</i> during the specified period
Defence Force Reserves	Staff member is in the Australian Defence Reserve	Up to 20 days per year	In accordance with clauses 2 to 9 of this procedure.
Jury and witness	Staff member summoned as a prospective juror or witness	Paid for the period necessary for attendance at court or before a relevant industrial /employment tribunal	The staff member must pay the University any fees received or alternatively take annual or long service leave or accrued flex credits to which he or she is entitled, and retain the

			fee
Leave without pay (LWOP)	The delegate may grant an application for LWOP in accordance with the process and condition in clauses 14 to 27 of this procedure.	<p>LWOP does not break continuity of service but does not count for service for accrual of any leave or any other like purpose.</p> <p>Continuity of service when accessing LWOP for parental leave purposes is referenced in the Parental Leave procedure.</p>	<p>Salary is not payable nor will additional leave be granted for public holidays and/or University closure which occurs during the period of LWOP.</p> <p>LWOP will not be granted in broken periods to take advantage of public holidays.</p> <p>Staff are not entitled to take personal leave during any period of leave without pay</p>
Emergency Services Leave	<p>A staff member is a member of a recognised emergency service organisation. Reasonable notice is required.</p> <p>Delegate is prepared to release the staff member from duty to assist in responding to the emergency.</p> <p>Provide documentation</p>	<p>Leave with pay may be granted to an employee who is a member of a State Emergency Service, fire-fighting service, search and rescue unit or other volunteer service performing similar functions to enable the employee to fulfil an obligation to that service in the event of a civil emergency.</p>	<p>Any fees that a staff member receives for emergency service should be paid to the University. However, if the staff member takes recreation or long service leave while on emergency service leave the fee paid for those days may be retained.</p> <p>If the staff member is on a period of approved leave, a rostered day off or the emergency occurs on a public or University holiday the time will not be reinstated for that particular period of</p>

	<p>stating they had been officially requested to assist in the emergency during the period of absence (can be on return).</p>		<p>approved emergency leave.</p> <p>Leave of absence granted under this category counts for service for all purposes and the periods of release from duty will not normally exceed, in total, 4 working days in any calendar year. The delegate may approve additional unpaid leave in exceptional circumstances for the time the employee is engaged in eligible community service activity, including reasonable travelling time associated with the activity and reasonable rest time immediately following the activity.</p> <p>These conditions do not apply to attendance at bushfires or other emergency situations which endanger University property. In such cases, where the Delegate considers that it is in the interests of the University for employees to participate in the emergency, those employees who agree to do so are regarded as acting in the course of their duties.</p>
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Family and domestic violence leave

2. Family and domestic violence means violent, threatening or other abusive behaviour by an employee's close relative, a current or former intimate partner, or a member of their household that seeks to coerce or control the employee, and causes them harm or fear.
3. For the purpose of this leave, a close relative includes:
 - a staff member's spouse or former spouse, de facto partner or former de facto partner, child, parent, grandparent, grandchild or sibling; or
 - a child, parent, grandparent, grandchild or sibling of an employee's current or former spouse or de fact partner, or
 - a person related to the employee according to Aboriginal or Torres Strait Islander kinship rules.
4. Staff (including full-time, part-time and casual employees) may take this leave if they need to do something to deal with the impact of family and domestic violence. 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; and
 - attending appointments with medical, financial or legal professionals.
5. The full 10-day paid leave entitlement provided under the National Employment Standards will be available upfront effective 1 February 2023, and will subsequently renew each year on the staff member's work anniversary. It will not accumulate from year-to-year if it is not utilised.
6. The Chief People Officer (Director – Human Resources) may ask the staff member for evidence that shows they took leave to deal with family and domestic violence.
7. All information related to family and domestic violence leave will be kept confidential and restricted to staff providing direct support and assistance.

Leave with Defence Force Reserves

8. A staff member who is a member of the Australian Defence Force (ADF) Reserves and/or Cadet Force is eligible to apply for paid leave for purposes of attendance at:
 - an annual training camp
 - a special school, class or course of instruction and
 - recruit and/or initial employment training course.
9. Volunteer members of the ADF Reserves and Cadets may be granted up to 20 days paid leave per calendar year for ADF purposes. This leave is to incorporate camps, special schools, classes and courses of instruction. The leave does not accumulate if not taken.
10. A staff member may apply for additional leave for ADF purposes utilising annual leave and long service leave accrued entitlements or leave without pay.
11. Any period of leave without pay approved for ADF purposes shall be recognised as "continuous" and "qualifying" service.
12. Where an employee is called up or wishes to undertake continuous full time service with the ADF, formal written request should be addressed to the Director Human Resources for consideration.
13. An employee who is a member of both the ADF Reserves and Cadet Force will only be granted leave for one camp for continuous training (on full pay) and one additional special school or course of instruction (to be taken as annual leave, long service leave or leave without pay) in the 12 month period.
14. Staff may apply for defence leave by submitting a leave form prior to commencement of leave. The application for leave must be supported by the ADF Reserves written confirmation of the necessity for attendance. At the end of the leave the employee must provide an ADF Reserves certificate of attendance to their supervisor to be filed with the leave form.
15. The University may be eligible for an ESP payment for employees who have:
 - taken paid Defence service leave or leave without pay and not utilised their own leave entitlements
 - completed an annual qualifying period of two weeks of continuous Defence service prior to the absence covered by the claim
 - completed Defence service of at least five consecutive days for the claim
 - not undertaken duties for the University while on Defence services (except in an emergency or with prior written permission from the ADF Reserves).

Leave application process

16. Staff who require access to family and domestic violence leave, are encouraged to email Chief People Officer (Director – Human Resources) directly via director.hr@anu.edu.au to request this leave.

17. Where practicable, all staff are required to submit an [online leave application \(HORUS\)](#) in advance of the leave being taken for:

- Defence Force Leave

18. Staff are required to submit a request via email in advance of the leave being taken for:

- Leave without Pay
- Jury and Witness Leave
- Emergency Services Leave

19. Staff wishing to apply for War Service sick leave credit should apply in writing through the College/Division HR Manager for the respective Dean/Directors' approval.

Applying for leave without pay

20. Staff may apply to their relevant delegate for a period of leave without pay (LWOP) up to twelve months. The application should include a comprehensive statement of the purpose of the absence and of the grounds which would justify its approval. If the purpose is to engage in outside employment a separate application will need to be submitted in accordance with the University's policy on work outside of the ANU. In these circumstances, it would be helpful if a letter from the potential employer, showing the precise nature of the invitation and the reasons for it, were included.

21. Leave without pay is not an entitlement and the delegate may attach conditions to any period of leave without pay.

22. Applications will be considered on their merits including the benefits to the University, but at all times approval will be subject to the convenience of the area.

23. Staff members will normally be required to use all available annual leave credits and accrued long service leave before commencing LWOP.

24. Application for grandparent leave without pay will not be unreasonably refused.

Conditions for leave without pay

25. Periods of leave without pay does not break continuity of service but will not count as qualifying periods of employment for the purposes of calculating recreation leave, long service leave, sick leave, or any other entitlement, except where this provision is inconsistent with the University's parental leave provision.
26. Superannuation is not paid by the University during periods of leave without pay. Contributors to UniSuper may either suspend membership and contributions during leave without pay or maintain membership by paying both their own and the University's contribution for the period of leave without pay. Contributors to the Commonwealth Superannuation Scheme are required to pay their own member contributions and the ANU will continue to pay the employer contributions for absences of 12 weeks or less. For longer periods contributions may be payable. In special circumstances, where the leave without pay is for a purpose which will result in substantial benefits to the University, the University may meet the employer's contribution.
27. Any absence on LWOP, other than unpaid parental leave and grandparent leave, will delay the anniversary date for increments by the period of leave as it does not count for service.
28. Staff are not entitled to take personal leave during any period of leave without pay.

Approval of leave without pay

29. Approval for LWOP up to twelve months, other than that associated with Parental, Adoption Leave provisions, will be at the delegate's discretion and subject to consideration of the circumstances on which the request is based and the work area's operational requirements. The delegate should specify whether or not any extension to the LWOP will be granted.
30. The staff member will be expected to return to their substantive position and resume full normal duties at the conclusion of their period of LWOP.. If this will not be possible, the delegate must specify the alternate arrangements in the documentation authorising the LWOP.
31. Where leave without pay is granted simply to enable a staff member who is leaving the University to maintain their membership in a superannuation scheme for an agreed period, this must be specified in the documentation authorising the LWOP.
32. A request to return to work during a period of LWOP will be subject to the delegate's approval and should be accompanied by a written cancellation of the LWOP for the

period in question. Advice should be obtained on the superannuation and leave implications of the options.

33. Staff members should not presume that any application for a period of LWOP or an extension to an approved period of LWOP will necessarily be approved. Any approved extensions to LWOP must be immediately notified to the Remuneration and Conditions branch.

Exercise of approval delegations

34. A delegate must exercise their delegation to approve a leave application in accordance with the conditions and approval arrangements specified in this procedure and up to 12 months only.
35. Applications for LWOP in excess of twelve months must be referred to the Director - Human Resources with a recommendation from the delegate and must outline the benefits to the University of granting the leave.
36. Applications for LWOP should be submitted as early as possible but not less than 2 months prior to the applicant proceeding on leave.

Document information

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