

Procedure: Long Service Leave

Purpose

This procedure provides staff with information in relation to conditions specific to long service leave, including entitlement and the procedures for taking long service leave.

Procedure

1. Long Service Leave is provided under the ANU Enterprise Agreement (Agreement), the ANU Staff Leave policy and the *Long Service Leave (Commonwealth Employees) Act 1976 (Cth)* (the Act). To the extent of any inconsistencies between the Agreement or ANU Policy and the Act, and the inconsistencies would result in a detrimental impact on staff, the provisions of the Act will apply.

Long service leave entitlements

2. A continuing, continuing (contingent funded) or fixed term staff member will accrue long service leave at the rate of 13 weeks (0.2492 days per fortnight of paid employment) for the first 10 years of continuous paid service and thereafter accrue on a pro-rata basis.
3. After 10 years' continuous paid employment with the University, and upon accrual of 13 weeks long service leave, a staff member may take all or part of their accrued long service leave. Subsequently, accrued long service leave may be taken at any time subject to notification, minimum period requirements and the University's operational requirements.
4. In accordance with the [Prior Service Recognition procedure](#), the University may recognise service with a previous employer for the purposes of long service leave provided there has been no more than a twelve month break in service, and long service leave has been provided for under the [Long Service Leave \(Commonwealth Employees\) Act 1976 \(Cth\)](#). The University will not accept the transfer of any long service leave balances where the employee is eligible to be paid out long service leave with their previous employer.
5. Where a staff member has taken leave in the service of a recognised previous employer (defined in the Act), or where payment was made in lieu of leave entitlement on termination of employment, that service will be recognised as qualifying service for

determining when the staff member is eligible to take any subsequently accrued long service leave.

6. For the avoidance of doubt, the staff member will not retain any entitlement to leave for the period of service with the previous employer for which:
 - leave has been taken;
 - payment in lieu has been made; or
 - where there was eligibility for payment.
7. The transfer of long service leave liabilities to a recognised employer, in lieu of payment on termination is not normal practice. In exceptional circumstances, requests will be reviewed on a case-by-case basis by the Chief People Officer.
8. The normal minimum period of long service leave which may be taken is one (1) week, subject to clause 8(b) and clause 9 (below).
9. Nothing prevents a staff member making an application to the Director - Human Resources to:
 - a. cash out part of their long service leave due to hardship; or
 - b. have the long service leave payment made in a manner assisting the staff member. For example: working four (4) days a week and being paid one (1) days long service leave on a weekly basis for a defined period.
10. The delegate may approve alternative arrangements for taking long service leave provided that the arrangements are agreed between the staff member and the supervisor and that they meet the staff member's needs and operational requirements of the work area. Such arrangements may include variations in approved leave dates to accommodate agreed work requirements.
11. For the purposes of long service leave, salary will include:
 - higher duties allowance, at the rate in force at the date of commencement of leave or the date of payment, provided that the staff member has performed the higher duties for at least 12 months as at the commencement of leave or the date of payment; and
 - long service allowance at the rate in force as at the date of commencement of leave or the date of payment.
12. Subject to the operational requirements of the University, a staff member may extend their period of long service leave by taking the leave on half pay.

13. Subject to the conditions for accessing annual leave, a staff member may extend the period of absence while on long service leave by:
- Accessing annual leave; and
 - Where a public holiday falls within or adjoins the long service leave period.
14. A staff member who becomes ill during a period of long service leave, and that illness is substantiated by a medical certificate, may apply to have their long service leave entitlement re-credited from their personal leave entitlements for the period covered by the medical certificate

Pro-rata leave for part time staff members

15. Where a staff member works part time for part or all of the period of employment, the staff member will be paid long service leave entitlements on a pro rata basis, based on the full time salary at the time of leave, for the period of leave having regard to employment over the 10 year qualifying period.

Notice periods

16. Where a staff member gives not less than 6 months' notice, the time of taking long service leave will be at the staff member's choosing, except in exceptional circumstances where the University establishes that arrangements cannot reasonably be put in place that would allow the leave to be taken at the requested time.
17. Where a staff member gives less than 6 months' notice, an application for long service leave at their choosing, unless the University establishes that in exceptional circumstances that arrangements cannot reasonably be put in place that would allow the leave to be taken at the requested time.
18. Notice period requirements do not apply where a staff member applies for long service leave during a period of approved unpaid parental leave.

Excess leave management

19. A staff member who has accrued more than 15 weeks' long service leave entitlements may be required, on six months' written notice, to take up to seven (7) weeks of such leave at a time convenient to the University.
20. A staff member who has given written notice of their intention to retire will not be required to take long service leave within 24 months of retirement.

21. Where a staff member has not sufficiently reduced their long service leave balance after receiving written notice in accordance with clause 18, the University will require the staff member to take the specified period of leave. A staff member will not be required to take the specified period of leave where an agreed leave management plan has been approved. Payment on cessation of employment

22. A staff member who ceases employment before accruing 13 weeks' long service leave will be entitled to payment equivalent to salary for the period of accrued leave if their period of continuous employment is not less than the relevant minimum qualifying period specified in the following table:

Circumstances	Minimum qualifying period
Retirement; Redundancy Ceasing employment on the grounds of Ill Health Death in service	1 year
Cessation of a continuing (contingent funded) appointment in circumstances where the staff member would be entitled to severance pay in accordance with the Continuing (contingent funded) appointments and related severance payments provisions of the ANU Enterprise Agreement; Expiry of a fixed term appointment in circumstances where the staff member would be entitled to severance pay in accordance with the Fixed term appointments and related severance payments provisions of the ANU Enterprise Agreement	4 years
Resignation Dismissal	7 years

Leave application process

23. Where practicable, and in accordance with relevant notice requirements, all staff are required to submit an Online leave application in advance of the leave.
24. A delegate must exercise their delegation to approve a leave application in accordance with the conditions and approval arrangements specified in this procedure.
25. Approval of leave beyond those provided for through this procedure require approval from the Chief People Officer or the Vice- Chancellor.

Document information

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