



## Leave

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### Purpose

The purpose of this process is to give guidance to the application of leave entitlements for The Uniting Church in Australia Queensland Synod Leave Policy.

### Scope

This process applies to all leave for employees (lay staff) engaged in work and activities of the Uniting Church in Australia within the bounds of the Queensland Synod office including Trinity College Queensland, Raymont Residential College, Alexandra Park Conference Centre and Uniting Education Early Learning.

This process replaces all previous processes. In the event of any inconsistency between these processes and any other processes, these processes prevail. Where an alternate process is required under statutory obligations, the Queensland Synod process is to be consistent with the required statutory obligation.

### Procedure

#### 1. Annual Leave

All full time and part time employees are entitled to paid annual leave. The minimum entitlement is 4 weeks of paid leave (pro rata for part time employees) for each year of completed service. The Queensland Synod will pay an additional annual leave loading of 17.5% of the payment of annual leave. An employee's entitlement to paid annual leave accrues progressively during a year of service according to the employee's ordinary hours of work and accumulates from pay period to pay period.

If the period during which an employee takes paid annual leave includes a day or part day that is a public holiday in the place where the employee is based for work purposes, annual leave does not apply to that public holiday.

All employees may take paid annual leave by either applying via the payroll employee self-service portal or giving the person in control of the workplace an *Application for Leave* form. The manager will consider the request in line with known operational needs and will not unreasonably refuse the request. Where possible, the employee should give at least 2 weeks' notice prior to taking the leave.

All employees who have accrued entitlement in excess of 2 years may be directed by the person in control of the workplace to take paid annual leave. In these circumstances, the manager must give the employee 4 weeks' notice of the requirement to take annual leave and should endeavour to negotiate a reasonable period of time to be taken by the employee and by when.

An approved application via the payroll employee self-service portal or an approved *Application for Leave* form is completed. Where employees complete a manual timesheet, the period of annual leave must be recorded on the employee's timesheet.

##### 1.1. Cashing out of Annual Leave

Employees who are covered by an award that provides for the cashing out of annual leave, or an award free employee may, by giving the person in control of the workplace a *Cash Out Annual Leave* form, make a request to cash out an amount of paid annual leave. The manager will not unreasonably refuse to agree to the request providing that the request meets the provisions prescribed in the National Employment Standards. To cash out annual leave, the following conditions apply:

- the employee must retain an entitlement to least 4 weeks paid annual leave
- there is a separate agreement in writing on each occasion that leave is cashed out



- the employer must not exert undue influence or undue pressure on an employee to agree to cash out an amount of annual leave
- the employee must be paid at least the full amount that would have been payable had the annual leave been taken.
- for Award Covered Lay Staff, a maximum of 2 weeks leave can be cashed out every 12 months.

### 1.2. Annual Leave in Advance

An employee may request taking a period of annual leave before the employee has accrued an entitlement to the leave. The request is made by completing the *Annual Leave in Advance* form and submitting this for consideration to the person in control of the workplace.

If, on the termination of the employee's employment (eg their resignation), the employee has not accrued an entitlement of all of a period of paid annual leave taken in advance, the Queensland Synod may deduct from the employee's final payment an amount equal to the remainder of the paid annual leave taken in advance.

## 2. Personal / Carers Leave

All full time and part time employees are entitled to paid personal / carer's leave of 10 days (pro rata for part time employees) for each year of service. An employee's entitlement to paid personal / carer's leave accrues progressively during a year of service according to the employee's ordinary hours of work and accumulates from year to year.

An employee may take paid personal/carers leave if the employee is not fit for work because of a personal illness, or personal injury affecting the employee; or to provide care or support to a member of the employee's immediate family, or a member of the employee's household, who requires care or support because of a personal illness, or personal injury; or an unexpected emergency affecting the member.

An approved application via the payroll employee self-service portal or an approved *Application for Leave* form is completed. Where employees complete a timesheet, periods of absence on personal / carers leave must be recorded on the employee's timesheet.

An employee must provide the person in control of the workplace notice of their absence as soon as practicable including an indication of the expected duration of the absence. Unless advised otherwise, it is expected that a medical certificate is provided for any period in excess of 2 days leave for personal leave or carers leave. If a medical certificate cannot be provided, the employee should discuss with the person in control of the workplace what evidence is required that would satisfy a reasonable person that the leave was taken for the purpose under this process.

## 3. Unpaid Carers Leave

An employee is entitled to 2 days of unpaid carers leave for each occasion when a member of the employee's immediate family, or a member of the employee's household, requires care or support because of a personal illness, or personal injury, affecting the member; or an unexpected emergency affecting the member.

An employee must provide the person in control of the workplace notice of their absence as soon as practicable including an indication of the expected duration of the absence. It is expected that a medical certificate is provided for any period in excess of 2 days leave for personal leave or carers leave.

An approved application via the payroll employee self-service portal or an approved *Application for Leave* form is completed. Where employees complete a timesheet, periods of absence on personal / carers leave must be recorded on the employee's timesheet.

## 4. Excessive Use of Personal / Carers Leave

Where a manager identifies a pattern of non-attendance and/or high levels of absenteeism, the employee may be requested to provide a medical certificate for each future absence for a set monitoring period. The manager must discuss this requirement with the employee and advise Human Resources.

A manager may also in consultation with Human Resources request an employee to undergo an independent examination by a qualified medical practitioner or specialist selected by the Queensland Synod if the employee has been absent for an extended period of absence and/or where the illness / injury may impact on work or be



impacted by work. The employee must attend and the payment for the assessment will be incurred by the Queensland Synod.

#### 5. Community Service Leave

All employees are eligible to apply for community service leave to cover activities such as jury duty or voluntary emergency management. All employees involved in an eligible community service activity are entitled to be absent for:

- Time when the employee engages in the activity;
- Reasonable travelling time associated with the activity;
- Reasonable rest time immediately following the activity.

All employees must give the person in control of the workplace the appropriate notice and evidence for the community service leave as soon as practicable and must also advise the person in control of the workplace of the expected period of absence.

Community service leave (excluding Jury Duty) is unpaid leave; however an employee may request to take paid annual leave, subject to accrued entitlement, for the approved period of community service leave.

If an employee receives a Notice to Prospective Juror, the employee must consult with the person in control of the workplace before completing and returning the required form. Should the manager wish to submit a Jury Duty Queensland Exemption Letter, the manager must write outlining the reasons why the employee's Jury Duty attendance would be detrimental to the operations of the workplace within the Queensland Synod.

If selected for Jury Duty, all full time and part time employees undertaking Jury Duty for a period of up to 10 days will be paid at their base rate for their ordinary hours of work. The employee must request that the amount payable to them for Jury Duty by the Court to be paid directly to the Queensland Synod. Payment of salary by the Queensland Synod for Jury Duty is subject to meeting reasonable evidence requirements, that is, details of attendance and evidence that the employee has taken all necessary steps to obtain any amount of Jury Duty salary to which the Queensland Synod is entitled.

Periods of Jury Duty must be supported by an approved application via the payroll employee self-service portal or an approved *Application for Leave* form and a copy of the notice to attend for Jury Duty. When completing the timesheet only normal rostered days of work, which were not worked due to Jury Duty should be claimed as payment for Jury Duty. Due to the nature of Jury Service, in some cases an Application for Leave will need to be completed after the conclusion of Jury Service.

#### 6. Synod Paid Community Service Leave

An employee who has at least one (1) year of service may seek approval for the 2 days paid special community service leave provided by the Queensland Synod office to volunteer in any activity of the Uniting Church in Australia within Queensland (preferred) or another community based charitable institution (refer to the dictionary). Special community service excludes any volunteer arrangement for the employee's congregation. The employee must provide full details of the activity and must give the person in control of the workplace at least 4 weeks' notice prior to the date/s sought for the special community service.

An approved application via the payroll employee self-service portal or an approved *Application for Leave* form is completed. Where employees complete a timesheet, periods of absence on community service leave must be recorded on the employee's timesheet.

#### 7. Unreasonable Additional Hours

The National Employment Standards (NES) provides a list of matters that can be used to determine what constitutes reasonable or unreasonable additional hours (refer to dictionary). Additional hours are those hours that an employee works above their contracted hours of employment.

##### 7.1. Work Schedule

All contracts of employment refer to a work schedule either directly or via a roster. Agreed variations to the work schedule is not considered additional hours.

For award covered employees (other than those employees receiving a common law remuneration), the work schedule is pattern of working hours identified on the roster which is designed to meet work demands and service recipient requirements. Variations can be requested by the employee and considered



by the person in control of the workplace. Each request is treated on its own merits and consideration will be given to the operational requirements of the workplace.

For employees who are award free or employees receiving a common law remuneration, the work schedule in the contract identifies the business days and the hours of the day during which the contracted hours are worked, usually associated with the business hours of the Queensland Synod. Variations can be requested by the employee and considered by the person in control of the workplace. Each request is treated on its own merits and consideration will be given to the operational requirements of the position and the team. A request may include regularly working longer hours during a roster period in order to have an additional day free of rostered hours ie over the rostered period of work, the contracted hours will be worked.

### 7.2 Additional Hours – Award Covered Employees

Award covered employees who agree to work additional hours will receive ‘compensation’ in accordance with the relevant award. This usually take the form of either:

- Additional payment of ordinary hours provided that an average of fulltime hours is not exceeded
- Payment of overtime at the prescribed rate

An employee may agree in writing to take time off instead of being paid overtime (Time Off In Lieu or TOIL). To accrue the time off, an employee completes the [Time Off In Lieu of Overtime form](#) and submits it to the person in control of the workplace. Once approved, the form is provided to Payroll with the timesheet. Any amount of overtime that has been worked and is to be taken as time off instead of the employee being paid for it, must be the subject of a separate form.

### 7.3 Additional Hours – Employee paid a Common Law Remuneration

Employees covered by an award, but paid a common law remuneration, receive an annual remuneration that already provides compensation for overtime, and therefore the employee is not entitled to overtime or time off instead of being paid overtime. This would include additional hours which the employee was directed to work outside the work schedule of the contract of employment.

There may be times when other matters arise that could result in additional hours being unreasonable. The employee and person in control of the workplace should discuss the nature of the unreasonable additional hours and agree on an appropriate ‘compensation’ eg a once-off variation to working days with no adjustment to paid hours of work.

The employee must complete a timesheet identifying their actual hours worked, which is provided to payroll each pay period. The timesheet is used by the People and Culture team to conduct an annual reconciliation to ensure that the common law remuneration provides a payment at or higher than what the employee would have received under the award.

### 7.4 Additional Hours – Award Free Employees

Employees who are not covered by a modern award receive a remuneration that already includes compensation for any reasonable additional hours that may be required from time to time to effectively carry out the role of the employee. This would include additional hours worked outside the work schedule of the contract of employment.

There may be times when other matters arise that could result in additional hours being unreasonable. The person in control of the workplace should identify the preferred approach in addressing unreasonable additional hours that is appropriate for the position, given the role and the level of responsibilities of the position, such as:

- The employee and person in control of the workplace to discuss the nature of the unreasonable additional hours and agree on an appropriate ‘compensation’ eg a once-off variation to working days with no adjustment to paid hours of work, or receiving a paid day off during a future period of leave
- The employee deciding to vary their working days and informing the person in control of the workplace

### 7.5 Flexible Working Hours (Flex-time)

There will be times when personal matters arise that requires the employee to vary their working hours eg leave work early, start work late. The employee should discuss the need for any once-off variations with



the person in control of the workplace who can consider the merits of the request and if approved, whether additional hours will need to be worked at a later time.

### 8. Compassionate leave

An employee may take compassionate leave for a particular permissible occasion if the leave is taken to spend time with the seriously ill or seriously injured person or after their death (subject to entitlement provisions).

An employee is entitled to 3 days of compassionate leave for each occasion (a permissible occasion) when a member of the employee's immediate family or a member of the employee's household:

- Contracts or develops a personal illness that poses a serious threat to his or her life; or
- Sustains a personal injury that poses a serious threat to his or her life; or
- Dies.

An additional 2 days compassionate leave will be granted under special circumstances such as the death of a child and/or parent. An additional 2 days may also be granted for substantial travel requirements where an employee has to travel a distance of greater than four (4) hours each way for the permissible occasion.

An employee must give the person in control of the workplace notice as soon as practicable and must also advise the person in control of the workplace the period, or expected period, of the absence.

Periods of absence on compassionate leave must be recorded on the employee's timesheet and must be supported by an approved application via the payroll employee self-service portal or an approved *Application for Leave* form.

Where requested, the employee must give the person in control of the workplace evidence that would satisfy a reasonable person that the leave was taken for a permissible occasion in the circumstances specified.

Compassionate leave is paid leave for all permanent employees and is unpaid leave for casual employees.

### 9. Ceremonial Leave

The Queensland Synod supports employees who are legitimately required by their religion, culture or Aboriginal and Torres Strait Islander tradition to be absent from work for ceremonial purposes. In acknowledgment of ceremonial purposes, an eligible employee shall be entitled to up to 3 working days paid leave in any one year. In relation to Aboriginal and Torres Strait Islander tradition, a further 7 working days of unpaid leave in any one year may also be approved.

The employee will need to be able to establish to the person in control of the workplace that they have an obligation under religious, cultural or Aboriginal and Torres Strait Islander custom and/or traditional law to participate in ceremonial activities.

Such leave shall not affect the employee's entitlement to compassionate leave under this policy. Approval of all ceremonial leave will be subject to service delivery and operational convenience but shall not be unreasonably withheld. An employee should advise the person in control of the workplace of their anticipated absence at the beginning of each year.

### 10. Long service leave

All employees including casuals are entitled to the provisions prescribed by the Queensland Industrial Relations Act 2016. Such entitlement is 8.6667 weeks of long service leave being available after the completion of 10 years' continuous service. In other words, an employee is on leave for a duration of 8.6667 weeks and their payment of long service leave is spread over this duration.

Where an Uniting Education Early Learning services employee transfers from another church entity and their long service leave entitlement is more generous than the provisions prescribed in the Queensland Industrial Relation Act 2016, the long service leave entitlement at the time of transfer will be maintained until the transferring industrial instrument is replaced. All employees located at a Uniting Education Early Learning service may take their long service leave after 7 years of continuous service.

Continuous service refers to paid working time and paid leave. While approved unpaid leave does not break an employee's continuity of service, the period will not be counted for continuous service. For example, an employee who takes 6 months of approved Leave Without Pay, must be employed for a further 6 months after their original eligibility date, for example 10 years and 6 months or 7 years and 6 months before they are entitled to long service leave.

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An employee may take long service leave by giving the person in control of the workplace an application via the payroll employee self-service portal or an *Application for Leave* form and the manager will consider the application in line with known operational needs and will not unreasonably refuse to agree to the request. Where possible, the application to take leave should be given with a minimum of 4 weeks' notice.

An employee may request to take long service leave for a period of 2 weeks (as a minimum) or more.

Under section 105 of the Queensland Industrial Relations Act (2016), the hours paid per week during long service leave is based on the average hours worked per week during the continuous service period. For employees who are casual or part time, or were casual or part time during the continuous service period, the hours paid may be different to the rostered hours, or the employment contract hours of work.

Long service leave is exclusive of public holidays that fall during the period of leave

An employee (excluding UEEL service employees) who has completed 7 years' service is entitled to a pro rata long service leave payment in the event of their death; if the employer terminates the employee for a reason other than poor conduct, capacity or performance; or if the employee resigns for reasons of illness, incapacity, or domestic / other pressing necessity. A payment will not be made to an employee who resigns for any other reason or if an employer terminates employment due to illness or incapacity. Generally, '*domestic or other pressing necessity*' has been interpreted to encompass a broad range of scenarios where the employee had a reasonable expectation that the employment would continue until the employee completed at least 10 years of service and the employee was prepared to continue with the employer. Such scenarios may include:

- a pregnant employee leaving work to take on the responsibility of home duties;
- an employee forced to leave work to take care of a sick spouse, or take care of children;
- an employee changing jobs to lessen travel expenses when in a difficult financial situation;
- an employee leaving a job because working night shifts had become a strain on the employee's family relationships and repeated requests for a transfer to the day shift had not been granted; or
- an employee leaving employment because the employer was relocating and the employee would have been required to travel substantial distances to attend work each day.

### 11. Parental leave

Parental leave is leave that can be taken if:

- The leave is associated with the birth of a child of the employee or the employee's spouse or de facto partner, or
- The placement of a child (under 16 years of age) with the employee for adoption; and
- The employee has or will have a responsibility for the care of the child.

#### 11.1. Eligibility and period of leave

An eligible employee is entitled to 12 months of unpaid parental leave for employees who have worked for the Queensland Synod and such leave will be consistent with the National Employment Standards. An employee can also request an additional 12 months of leave.

To be eligible for parental leave, the employee must:

- have worked for their employer for at least 12 months:
  - before the date or expected date of birth if the employee is pregnant
  - before the date of the adoption, or
  - when the leave starts (eg if the leave is taken after another person cares for the child or the employee takes parental leave); and
- have or will have responsibility for the care of the child.

If the leave is birth related leave for a female employee who is pregnant with, or gives birth to, the child, the period of leave may start up to 6 weeks before the expected date of birth of the child or earlier, if there is agreement between the Queensland Synod and the employee.

#### 11.2. Concurrent leave

Both the primary care-giver and secondary care-giver may take concurrent leave for a period of up to 8 weeks (unpaid) at the same time as concurrent unpaid parental leave (which applies to the primary care-giver). Concurrent unpaid parental leave must not start before:





- if the leave is birth-related leave- the date of birth of the child; or
- if the leave is adoption-related leave -the day of placement of the child.

Concurrent leave can be taken in separate periods, but each period cannot be less than 2 weeks.

Concurrent leave is part of an employee's total unpaid parental leave entitlement ie any concurrent leave taken is deducted from the total parental leave entitlement

### 11.3. Paid leave

As part of the parental leave period, the Queensland Synod provides 12 weeks paid parental leave to full time and part-time eligible employees. Such leave will be paid as per the employee's contracted hours and rate of pay. Upon request, the 12 weeks' paid parental leave may be taken at half pay for 24 weeks.

The Government's Paid Parental Leave (GPPL) scheme is separate to any paid leave provided by the Queensland Synod.

### 11.4. Notice periods

To request parental leave, an employee has to give the following notice to the person in control of the workplace:

- At least 10 weeks before starting their unpaid parental leave. This notice needs to be in writing, and say how much leave they want to take, including the starting and finishing dates. If an employee can't give 10 weeks' notice, they need to provide as much notice as possible.
- An employee has to confirm their parental leave dates at least 4 weeks before they are due to start their leave. If there have been any changes to the dates, the employee should notify the person in control of the workplace as soon as possible. If an employee can't provide 4 weeks' notice, they need to provide as much notice as possible.
- Employees who are taking concurrent leave need to provide at least 10 weeks' notice for the first period of concurrent leave. For second or later periods, the employee needs to provide at least 4 weeks' notice.

Where the request is approved, the employee will be advised in writing as soon as practicable after the request was made.

### 11.5. Return to work

An employee should give at least 4 weeks' notice of their intention to return to work or intention to seek further leave for parental leave. An employee may request an extension to parental leave in writing for either:

- the remainder of the 52 weeks unpaid parental leave, and/or;
- an extension of up to a further 52 weeks unpaid parental leave

The person in control of the workplace must provide a written response within 21 days. A request to use the remainder of the 52 weeks unpaid parent leave must be approved.

An employee may request flexible work arrangements upon their return to work in accordance with the NES.

## 12. Grandparents leave

A grandparent may access up to two 2 days per year of their personal/carers leave for the purposes of participating in non-care related activities with a grandchild of the employee, the employee's spouse or the employee's de facto partner. Each period of leave will be a minimum of one day. Where possible, the employee should give at least 2 weeks' notice of the requirement to take grandparents leave.

An approved application via the payroll employee self-service portal or an approved *Application for Leave* form is completed. Where employees complete a timesheet, periods of absence on community service leave must be recorded on the employee's timesheet.

## 13. Family and Domestic Violence leave

Where leave will be provided to the employee under POL-PEO-18 Family and Domestic Violence, an employee, including a casual employee, is entitled to 10 days per year of paid family and domestic violence leave for the purpose of:



- attending legal proceedings, counselling, appointments with a medical or legal practitioner;
- relocation or making other safety arrangements in relation to the individual or their family members such as a dependent child; or
- accessing police services; or
- other activities associated with the experience of family and domestic violence where it is impractical to do so outside their ordinary hours of work.

Leave is available in full, from the individual's first day and then at the start of each 12-month period of employment or placement. This leave does not accumulate from year to year. Such leave will be identified as 'Compassionate leave' when processing the leave payment and for leave records.

The period of leave can be for less than one day by agreement and the Supervisor/Manager can agree to provide additional unpaid leave to deal with family and domestic violence, also by agreement.

Where leave is required, the individual must provide notice as soon as practicable, which may be after the leave has started and must advise their Supervisor/Manager as to the expected period of leave. The Supervisor/Manager may require the individual to provide evidence of the purpose of taking family and domestic violence. Such evidence must be sufficient to satisfy a reasonable person; however, the Supervisor/Manager has a duty to ensure that the information concerning any notice the individual has provided is treated confidentially.

#### 14. Purchased Additional Leave

The purchase of additional leave aims to assist employees in accessing leave over and above their annual leave entitlements to facilitate an extended (paid) break. Employees may request to purchase additional leave over a period of 48 months (4 years). The purchased additional leave is taken over the subsequent 12-month period.

Any request to withdraw from the purchase of additional leave can be made with 4 weeks' notice in writing, or on termination of employment. All monies held under the purchased additional leave scheme will be returned to the employee in the subsequent pay period or as part of their termination payment.

The additional leave is purchased by the employee's annual remuneration being reduced by an amount equivalent to the cost of 20% each pay period over the 48-month period. A pre-tax deduction will be made from the employee's pay each fortnight during the purchasing period. When taking the additional leave, the employee will receive an equal payment each fortnight over 12 months based on their contracted hours of employment and an hourly rate which will be based on a calculation of the total monies accumulated over 48 months divided by the number of contracted hours for 12 months.

When considering an application for purchased leave the person in control of the workplace will take into account the operational requirements of the Queensland Synod and the personal circumstances of the employee.

When an employee is on Workcover, the accrual of purchased additional leave will be suspended, unless the employee is on a Return to Work program involving payments made by the Queensland Synod.

It is the responsibility of the employee to seek advice on the financial impact of this arrangement regarding the pre-tax deduction of wages and any benefits from other organisations such as Centrelink.

#### 15. Annual Shut Down

The Queensland Synod, as an expression of faith or due to commercial / lack of business activity, may close down the Synod Office or part of the Synod Office (including Alexandra Park Conference Centre, Raymont Residential College, Trinity College Queensland and Uniting Education Early Learning). Where this occurs the Queensland Synod must give:

- not less than four (4) weeks' notice of its intention to do so;
- notify employees if paid leave will be provided (for example Grace and Favour Days in consultation with the Moderator), on which day(s) paid leave will be paid and the eligibility for such payment of such leave
- an employee who has accrued sufficient annual leave to cover the remaining period of the close down, will be directed to take annual leave for the remaining period;





- an employee who has not accrued sufficient annual leave to cover all of the remaining period of the close down, will be directed to take annual leave and in addition, may consider the following options for the remainder of the close down period:
  - take long service leave (if the employee is eligible)
  - take annual leave in advance
  - take unpaid leave, or
  - if the above 3 options are not taken up, the employee will receive a payment of the balance of their contracted hours of work for the remainder of the close down period at their base rate of pay only.
- any leave taken by an employee as a result of a close down also counts as service by the employee.

### 16. Casual employees

Under the National Employment Standards casual employees are entitled to:

- 2 days unpaid carer's leave;
- 2 days unpaid compassionate leave per occasion;
- Community service leave (except paid jury service); and
- Unpaid parental leave where the casual employee has been employed for at least 12 months on a systematic basis and has an expectation of ongoing employment
- 5 days unpaid family & domestic violence leave

### Related documents

National Employment Standards <http://www.fairwork.gov.au/employment/national-employment-standards/pages/default.aspx>

POL-0001 Privacy

POL-PEO-07 Leave

TOO-PEO-07a Application for Leave

TOO-PEO-07b Annual Leave in Advance

TOO-PEO-07c Time Off In Lieu of Overtime

TOO-PEO-07d Cash Out Annual Leave

TOO-PEO-07e Purchase Additional Leave

POL-PEO-18 Family and Domestic Violence

Clerks (Private Sector) Modern Award

Children Services Modern Award

Hospitality Industry Modern Award

Educational Services (Post Secondary) Modern Award

Miscellaneous Modern Award

Fair Work Act (2009) & National Employment Standards

Industrial Relations Act (Qld) 2016

### Definitions

Term	Meaning
<b>Queensland Synod</b>	Means the work and activities of the Uniting Church in Australia performed within the bounds of the Queensland Synod office including the Trinity College Queensland, Raymont Residential College, Alexandra Park Conference Centre and Uniting Education Early Learning.
<b>Person in control of a workplace</b>	Means the manager responsible for employees and volunteers in a workplace or engaged in an activity of the Queensland Synod.
<b>Continuous Service</b>	A period of service by lay staff with the Queensland Synod employer is a period during which the employee is employed by the employer, but does not include any <b>excluded service</b> . An excluded service period does not break the employee's continuous service with the Queensland



## Leave

Term	Meaning
	Synod, but does not count towards the length of the employee's continuous service.
<b>Lay Staff in a Ministry Location</b>	Means a lay person engaged as an employee for ministry service.
<b>Jury Service</b>	The term 'Jury Service' is specific in that it relates to service on a jury or being called to court on a jury. Attendance at court as a litigant or witness is excluded from Jury service.
<b>Immediate Family</b>	Immediate family will include people with the following relationship with the employee, the employee's spouse or the employee's de facto partner: <ul style="list-style-type: none"> <li>• A spouse (including de facto partner)</li> <li>• A partner of the same sex</li> <li>• A child or adult child (including an adopted child, stepchild, foster child)</li> <li>• A parent</li> <li>• A grandparent</li> <li>• A grandchild, or</li> <li>• A sibling</li> </ul>
<b>National Employment Standards</b>	The National Employment Standards are 10 minimum standards that apply to employment in Queensland Synod workplaces. These include: <ul style="list-style-type: none"> <li>• Maximum weekly hours of 38 hours per week plus reasonable additional hours</li> <li>• A right for parents to request flexible working arrangements until their child reaches school age, or a child under 18 with a disability</li> <li>• Parental and adoption leave of 12 months unpaid leave plus a right to request an additional 12 months unpaid leave</li> <li>• Annual leave of 4 weeks paid leave per year, plus an additional week for certain shift workers</li> <li>• Personal / carer's leave and compassionate leave (10 days paid personal / carer's leave, 2 days unpaid carer's leave as required, and 2 days compassionate leave (unpaid for casuals) as required), and five days unpaid family and domestic violence leave (in a 12 month period).</li> <li>• Community service leave (unpaid leave for voluntary emergency activities and leave for jury service, with an entitlement to be paid for up to 10 days for jury service)</li> <li>• Long service leave (provisions in state legislation, awards and enterprise agreements continue to apply unless a standard national entitlement is developed)</li> <li>• Public holidays (a paid day off on a public holiday, except where reasonably requested to work)</li> <li>• Notice of termination and redundancy pay (up to 5 weeks' notice of termination and up to 16 weeks redundancy pay, based on age and length of service may apply)</li> <li>• Provision of a Fair Work Information Statement to all new employees.</li> </ul>
<b>Award Covered Lay Staff</b>	Lay Staff whose place of employment and position is covered by a Modern Award through its scope (industry and role classification). This is generally restricted to Synod Office employees performing clerical work, Trinity College Queensland lay staff and non-management positions at Raymont Residential College, Alexandra Park Conference Centre and Uniting Education Early Learning.



## Leave

Term	Meaning
<b>Award Free Lay Staff</b>	Lay Staff whose position is not normally covered by a Modern Award. This is generally restricted to all management positions as well as para-professional and professional positions in Synod Office.
<b>Reasonable Additional Hours</b>	Under s62 of the Fair Work, in determining whether additional hours are reasonable or unreasonable, the following must be taken into account: <ul style="list-style-type: none"><li>a) any risk to employee health and safety from working the additional hours;</li><li>b) the employee's personal circumstances, including family responsibilities;</li><li>c) the needs of the workplace or enterprise in which the employee is employed;</li><li>d) whether the employee is entitled to receive overtime payments, penalty rates or other compensation for, or a level of remuneration that reflects an expectation of, working additional hours;</li><li>e) any notice given by the employer of any request or requirement to work the additional hours;</li><li>f) any notice given by the employee of his or her intention to refuse to work the additional hours;</li><li>g) the usual patterns of work in the industry, or the part of an industry, in which the employee works;</li><li>h) the nature of the employee's role, and the employee's level of responsibility;</li><li>i) whether the additional hours are in accordance with averaging terms included under a modern award (eg works an average of 38 hours per week) that applies to the employee, or with an averaging arrangement agreed to by the employer and an award free employee;</li><li>j) any other relevant matter.</li></ul>
<b>Family and Domestic Violence</b>	Any violent, threatening or other abusive behaviour by a person against an employee or a member of the person's family or household (current or former).
<b>Excluded Service</b>	Any period of unauthorised leave, any period of unpaid leave or unpaid authorised absence other than a Community Service Leave. [see s22(2) of the Fair Work Act]
<b>Community Based Charity</b>	A community based organisation that has a charitable or not-for-profit purpose such as the protection of human rights, the promotion of reconciliation and tolerance, the provision of community services or advance causes by preventing, educating, researching and raising awareness. It includes public benevolent institutions whose main purpose is to relieve poverty or distress.

## Revisions

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Version	Approval date	Approved by	Effective date	Policy owner	Policy contact
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