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**Personal & Carers Leave Policy**

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| **Title:** | Personal and Carers Leave Policy  | **Document Ref;** | POL-HR-020 |
|  |  | **Date Effective:** |  |
| **Version No.** |  | **Review Date:** |  |

**Policy Overview**

The purpose of this policy is to outline the entitlements to Personal / Carer’s Leave whilst also establishing the expectations of the Company in relation to notification of the need for this leave and the appropriate documentation required for payroll.

**Scope**

This policy applies to all Employees of Fencing Solutions Pty Ltd. Personal and Carer’s Leave entitlements only apply to full-time and part-time Employees of the Company.

**Definition**

For the purposes of this policy the following definitions are outlined:

**The Act -** refers to the Fair Work Act 2009 (Cth).

**The Company -** refers to Fencing Solutions Pty Ltd.

**Consecutively -** refers to days that are following one another without interruption, in succession.

**Contractor-** refers to any person or entity engaged by the Company to perform duties on behalf of the company as a representative of the Company.

**Employee -**refers to any person directly employed by the Company on either Full Time, Part Time or Casual Basis.

**Immediate Family -** refers to:

1. A partner, child, parent, grandparent, grandchild or sibling of the Employee;
2. A child, parent, grandparent or sibling of the partner of the Employee.

**NES-** refers to the National Employment Standards established under the Fair Work Act 2009 to provide 10 basic employment minimum standards that all employers are to adhere to.

**Personal Leave-** includes paid sick leave and paid or unpaid Carer’s Leave as follows:

1. Sick Leave means paid leave by an Employee because of a personal illness, or injury, of the Employee.
2. Carer’s Leave means paid or unpaid leave taken by an Employee to provide care or support to a Immediate Family Member of the Employee, or a member of the Employee’s household, who required care or support because of a personal illness, or injury, of the member; or an unexpected emergency affecting the member.

**Paid personal/carer’s leave entitlements**

* Full-time Employees will accrue progressively to a maximum amount of 10 days (76 hours) of paid Personal Leave during each year of continuous service in accordance with the NES.
* Part-time Employees will accrue a pro rata amount of personal leave based on hours worked.
* Untaken Personal Leave will accrue on a year to year basis but is not payable on termination of employment.
* Personal leave accrues on a pro rata basis and is cumulative.
* An Employee will not be entitled to paid Personal Leave for any period in respect of which he or she is entitled to Workers Compensation.

**Paid personal/carer’s leave - public holiday requirements**

* When taking Personal or Carer’s leave immediately before or after a public holiday an Employee is required to provide the Company with a medical certificate from a certified General Practitioner.
* Failure to provide this certificate will result in non payment of the time taken off. This leave will be classified as unpaid Personal or Carer’s leave.
* An Employee is unable to then allocate that absence through their Annual Leave entitlements as all Annual Leave must be pre-approved by management before being taken by the Employee.

**Employee responsibilities**

* Employees MUST notify their direct manager as soon as practicable of their inability to attend on account of personal illness or injury or carer’s responsibilities.
* Notification of your impending absence is not to be done via text message or email nor should a message be passed from a co-worker to your direct manager on your behalf. At all times either the Employee or their partner or parent must contact the Employees direct manager or managing director notify them of the absence directly.
* At the time of notifying of their inability to work the Employee is required to advise of an approximate (if not actual) duration of absence so as to ensure that the Company can adequately plan the work distribution to cover the absence.
* Medical Certificates from a registered practitioner are required for all absences of 2 days or more taken consecutively.
* Where an employee suffers personal illness or injury for a period of at least 3 consecutive days whilst on approved annual leave the employee will be granted the ability to revert the 3 days annual leave paid to their accrued entitlements while taking those certificated personal leave days from their personal / carer’s leave accrual.
* Personal/carer’s leave should not be taken by an Employee in circumstances where a member of their immediate household has also taken personal/carer’s leave to care for the same person.

**Unpaid carer’s leave**

If, an Employee satisfies the requirements to take Carer’s Leave but has exhausted his or her entitlement to paid Personal Leave, or, the Employee is a casual Employee, then the Employee may access a maximum of 2 days unpaid Carers’ Leave per occasion.

**Personal/carer’s leave case management**

* Should a manager determine that an Employee must undergo Personal/Carer’s Leave case management then the onus will be on the Employee to provide satisfactory medical evidence to support the continued absence due to Personal/Carer’s leave.
* Should a manager determine that an Employee must undergo Compassionate leave case management then the onus will be on the Employee to provide satisfactory documentary evidence to support to need for the Compassionate Leave.

**Failure to comply**

Failure to comply with the directives within this policy will result in disciplinary action up to and including the termination of employment should the Company deem it necessary.

**Approval**

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Director – Ray Formosa

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