

## **LONG SERVICE LEAVE**

### **POLICY STATEMENT:**

HR Staff n Stuff is pleased and proud to have employees stay working with us for long periods of time and as such encourages the use of earned long service leave, so an employee may take a period of paid time off work for relaxation and rejuvenation purposes. Paid Long Service Leave is a legislative requirement under Australian Law. Long Service Leave is regulated by each individual state government and the state in which an employee works is the Long Service Leave legislation that applies.

### **PROCEDURES:**

#### **Eligibility & Accrual**

- a. All full-time and part-time employees are eligible to accrue paid long service leave in line with current Long Service Leave legislation.
- b. An employee may take long service leave after the completion of 7 years continuous service. Part time employees can access long service leave on a pro rata basis.
- c. Long service leave will only be accrued for continuous periods of service.
  - i. A casual employee is considered to have been continuously employed.
  - ii. Up to 52 weeks of unpaid parental leave is included when calculating an employee's continuous employment, and unpaid parental leave in excess of 52 weeks does not break continuity of employment.
  - iii. If an employee is re-employed within 12 weeks of termination due to dismissal or resignation, expiry of a specified term contract or completion of their apprenticeship, their employment is considered to be continuous.
  - iv. If an employee's ordinary hours of employment fluctuate in the 12 months before they take LSL the hours they will be paid determined by the greater of the average hours they have worked over the past 12 months or the past 5 years.

#### **Use of Long Service Leave**

- a. The actual date the leave commences will be agreed between HR Staff n Stuff and the employee. Employees will submit a leave application request in Xero to the Director at least 8 weeks in advance. Applications are not considered approved without approval from the HR Staff n Stuff Director.
- b. The objective of long service leave is to encourage employees to take a break from work after a significant period of service. In order to facilitate this, long service leave may be taken one day at a time or for longer periods of time by mutual agreement.

- c. An employee can request deferral of their long service leave. The rate of pay when the employee then takes the long service leave will be the rate agreed in writing between HR Staff n Stuff and the employee. The rate will not be less than the employees' ordinary rate of pay at the time the leave was due.
  - d. HR Staff n Stuff may direct an employee to take their long service leave if the employee has not submitted a request for their long service leave. In this instance, HR Staff n Stuff will provide an employee with a minimum of 3 months' notice of the requirement to take part or all of their long service leave.
  - e. Payments in lieu of LSL are not permitted in Victoria.
  - f. Should a public holiday fall during a period of long service leave, it will be paid as a public holiday. Long service leave will not be used for the public holiday.
  - h. Where an employee suffers an unexpected illness or injury while on long service leave which prevents them from enjoying their recreation the period of illness or injury may be treated as personal leave (sick leave). This will only occur in situations where:
    - The employee has attended a doctor and obtained a certificate for the period of illness or injury; and
    - The illness or injury required hospitalisation; or
    - The duration of the certified illness or injury meets or exceeds five days (including weekends)
- In these situations, and where the Director gives approval, an adjustment will be made to re-credit the time back in the long service leave accrual and treat the period of illness as sick leave.
- i. Employees may not engage in other paid employment during any period of long service leave.
  - j. Employees will receive their normal weekly payments during the period of long service leave.