

# Leave Without Pay Procedures

## Section 1 - Preamble

- (1) These procedures apply where leave without pay is approved in accordance with the [Delegation Rule](#).
- (2) Leave without pay (LWOP) refers to a period of unpaid absence from duty. The approval of LWOP is at the University's discretion and each application is considered on its merits.
- (3) Casual employees are not eligible for LWOP.

## Section 2 - Delegations

- (4) The Head of Work Unit has delegation to approve leave without pay up to a maximum period of six months ([HR72](#)) in accordance with University Policies and Procedures.
- (5) The Executive Member has the authority to approve leave without pay in excess of six months ([HR73](#)) in accordance with University Policies and Procedures.

## Section 3 - Entitlement and Conditions

### Entitlement

- (6) Normally LWOP will be restricted to a minimum period of one day and a maximum period of one year.
- (7) An employee will be expected to exhaust flexi-time credits, time-off-in-lieu credits, annual leave and long service leave before lengthy periods of LWOP will be granted. Exceptions to this are when LWOP is taken for:
  - a. reasons of a compassionate nature; or
  - b. professional development, where activities pursued during the leave will enhance the professional development of the employee and benefit the University.
- (8) In such cases the employee can request to retain leave credits. Each case will be assessed on its merits.

### Conditions

#### Period of notice

- (9) The required period of notice for an application for LWOP will vary depending on the circumstances such as the length of the proposed absence and the need for a replacement employee to be appointed.
- (10) Generally, staff would be expected to give as much notice as possible, with an employee whose work involves teaching being expected to give at least three months' notice for longer periods of leave. Where mutually agreed between the employee and the supervisor, the period of notice can be reduced.

## **Salary administration**

(11) Salary payments are ceased during LWOP on the basis of the working days for which an employee would have been paid. LWOP commences on the first working day of the leave (excluding public holidays) and ceases on the day prior to resumption.

(12) Payment is not made for any public holidays occurring during a period of LWOP.

## **Effect of LWOP on entitlements**

(13) Approved LWOP does not break continuity of service. An employee remains an employee of the University during a grant of LWOP. The provisions of many policies continue to apply during LWOP and employees may apply for positions/promotion rounds advertised within the University.

(14) LWOP affects the following entitlements:

- a. LWOP taken in any 12 month period which, when aggregated, exceeds five working days does not count as service for the accrual of annual leave, sick leave or incremental progression;
- b. in the calculation of LSL entitlements, all periods of LWOP are not to be counted as service where the total period of paid service is less than ten years. Where an employee has completed ten or more years paid service, all periods of LWOP shall count as service except when a continuous period of LWOP exceeds six months:
  - i. for the purpose of determining eligibility for paid parental leave, LWOP in excess of five days does not count as qualifying service; and
  - ii. periods of LWOP will not be recognised as qualifying service for the purposes of academic special studies leave.

(15) Employees should contact HR Services to discuss the implications of periods of LWOP on their superannuation contributions.

## **Return to duty**

(16) An employee may apply to resume duty prior to the expiration of the grant of LWOP. While every effort will be made to accommodate such a request, premature return is always subject to the University's convenience.

(17) Where the absence on LWOP is six months or greater, the employee must provide written confirmation of their intention to return to work at least eight weeks before their approved date of return.

(18) No guarantee can be made that an employee will return to the position they held prior to commencing an extended period of LWOP.

## **Suspension of administrative duties**

(19) During an extended absence on LWOP, an employee is to suspend membership on all University committees and relinquish all activities of an administrative nature. The employee should arrange for the chairperson of each committee to be notified as soon as practicable after the leave is approved.

## **Employee's responsibilities**

(20) Employees must make their own arrangements for salary deductions such as housing loan repayments and medical insurance during periods of LWOP.

(21) It is also the employee's responsibility to remain informed of University activities in which they may have an interest, for example, calling for applications for academic promotion.

## Section 4 - Application and Approval Process

(22) Where an employee wishes to take leave without pay (LWOP), the matter should be discussed with their supervisor. A [leave application](#) should be completed and approved prior to commencing the absence (MyHR cannot be used to apply for leave without pay).

(23) The completed form is to be referred to the employee's supervisor together with a statement specifying the reasons for the leave. Generally the application should be submitted in accordance with the time specifications outlined in the leave without pay conditions.

(24) If the application is approved, the Head of Work Unit is responsible for forwarding details of the leave to HR Services in sufficient time to cease salary payments to the employee and enable the details to be recorded in Aurion (the University's Human Resource Information System).

(25) When the leave is actually taken, professional employees are required to reflect the period of absence on their MyHR attendance record.

(26) If the application is not approved, the Head of Work Unit should advise the employee of the reasons for the decision.

## Section 5 - Links and Forms

[Leave application](#)

[Delegation Rule](#)

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	2nd June 2015
<b>Review Date</b>	2nd February 2018
<b>Approval Authority</b>	Vice Chancellor
<b>Approval Date</b>	15th April 2015
<b>Expiry Date</b>	13th June 2016
<b>Head of Work Unit</b>	Kath Drew Director, Human Resources
<b>Enquiries Contact</b>	HR Services