

Staff - Other Leave Type Procedures

INTRODUCTION

Other staff leave incorporates all other paid or unpaid leave provided for in the [Charles Darwin University and Union Enterprise Agreement](#) including; Public Holidays (cl.43); Aboriginal and Torres Strait Islander Cultural Leave (cl.48) and Union Leave (cl.55).

Effective leave management is important. The University requires all staff to notify their supervisors of their leave intentions where applicable. Supervisors are accountable for their staff members' leave management and approvals.

COMPLIANCE

This is a compliance requirement under the [Charles Darwin University Act 2003](#) part 3, section 15.

INTENT

The intention of this document is to ensure staff members and supervisors understand the expectations and requirements for effective leave management as outlined in the [Charles Darwin University and Union Enterprise Agreement](#) and to define the eligibility criteria for accessing other leave.

RELEVANT DEFINITIONS

In the context of this document

ATSICL means Aboriginal and Torres Strait Islander Cultural Leave;

Continuous service means continuous, paid service, other than casual service, with the University;

Ceremonial Obligations means an occasion where the staff member is obliged to participate in a significant indigenous ceremony i.e. a funeral;

Senior Executive means a staff member of the University holding the position of Vice-Chancellor, Provost, Deputy Vice-Chancellor, Pro Vice-Chancellor or Chief Financial Officer or equivalent;

Senior Manager means a staff member of the University holding the position of Director or Head of School or equivalent; and

Supervisor means the person responsible for day-to-day supervision of a staff member or a group of staff.

PROCEDURES

Entitlements and conditions

Public Holidays

All staff members (other than casual) shall be entitled to paid leave while on gazetted Northern Territory Public Holidays, where the staff member would otherwise have been required to attend work.

A staff member and supervisor may agree to substitute a day-in-lieu at single time.

An arrangement to substitute a public holiday for a day-in-lieu must be agreed upon in advance with the staff member and should only be used on rare occasions to achieve an operational objective.

Should a staff member be required to work a public holiday to meet operational requirements and another day-in-lieu cannot be agreed the staff member will be entitled to over-time in accordance with cl. 23.4 of the Agreement.

Aboriginal and Torres Strait Islander Cultural Leave (ATSICL)

Five (5) days paid and an additional ten (10) days unpaid ATSICL per calendar year is available to Indigenous staff members (other than casuals) for the purpose of fulfilling ceremonial obligations.

ATSICL does not accrue.

Paid ATSICL counts as service for all purposes.

Unpaid ATSICL does not count as service for all purposes including accrual of leave and does not break a staff member's continuous service.

ATSICL is in addition to any other applicable leave that may apply depending on the circumstances for example, compassionate leave.

Union Leave

Identified staff members may access paid Union Leave in accordance with cl.55 of the Agreement.

Union Leave is available for two purposes:

For the purpose of attending courses or seminars pertaining to industrial relations training.

Union Leave for up to six (6) working days in any one calendar year is available to:

- Three (3) National Tertiary Education Union (NTEU) NT branch nominated staff members;
- Three (3) Australian Education Union (AEU) nominated staff members; and
- One (1) nominated staff member for each of the other Unions party to the Agreement.

Unused Union Leave for the purpose above will remain available during the course of the same calendar year for use by the nominated staff member, but does not accrue from year to year.

For example – Purpose 1

The union has nominated Mary, Tom and Sarah as NTEU officials. They each requested Union Leave to attend a number of courses and seminars requiring Mary to be on leave for 5 days, Tom to be on leave for 8 days and Sarah for 5 days. Whilst Sarah and Mary have requested days within the Union Leave limit, Tom has exceeded his 6 days' entitlement. Tom would need to request 2 additional days from his Annual Recreation Leave entitlements to fulfil his union commitments.

For the purpose of undertaking NTEU work relating to the University.

Union leave for up to one and one half days (1.5) per working week is available to:

- The President or nominee

Unused leave for the purpose above is not accruable during the course of the year and must be used within the week it is available.

For Example – Purpose 2

Ainslie is the nominated Union President. She has requested to work 1 day a week for NTEU work pertaining to the University. Ainslie has requested her half days are accrued so she can use 5 days at one time and another 2 days to attend Union training. Union Leave must be taken as agreed at the rate of 1.5 days per week. Ainslie cannot accrue the leave to take in bulk nor can she use this leave to attend union training. Ainslie may work 1 day a week but she will not be able to carry the unused half day forward.

All nominated staff members accessing this leave must be nominated by the relevant union. The union is required to notify Employee Relations, Office of People and Capability in writing, as to which staff members are nominated.

Requesting Leave

The relevant supervisor is responsible for approving all leave bookings, other than public holidays. Public holidays will automatically be paid unless otherwise advised.

Staff members need to provide at least four (4) weeks' notice to the supervisor of an intention to access union leave.

Staff members need to provide notice as soon as practicable to the supervisor of an intention to access ATSICL.

A staff member applying for Union Leave (other than for purpose 2) or ATSICL, must do so by completing an Application for Leave form.

A staff member accessing Union Leave for purpose 2, must negotiate this with his/her supervisor providing reasonable assurance the leave will have minimal impact on his/her primary workload commitments. All records of this should be maintained at the local management level. This could be as simple as recording the agreed days in an email.

The supervisor is required to contact Employee Relations, Office of People and Capability to ensure the staff member accessing union leave is the Union's nominated staff member.

Evidence

The University may require the staff member to provide evidence to the satisfaction of the University in support of a leave application for ATSICL and/or Union Leave. Such evidence may include, but is not limited to: a letter from the union detailing the purpose of the Union Leave or a document indicating the staff member's requirement to attend ceremony. In the instance it is difficult to obtain evidence, a statutory declaration from the staff member outlining the purpose will be regarded as sufficient.

Cancellation/Amendment of Approved Leave

To cancel or change a future-approved leave booking, download and complete a Request for Leave Amendment form from the Office of People and Capability Forms webpage. This form should then be forwarded to the relevant supervisor/delegate for approval and sent to Office of People and Capability once approved.

ESSENTIAL SUPPORTING INFORMATION

Internal

[Application for Leave form](#)

[Charles Darwin University and Union Enterprise Agreement 2013](#)

[Human Resource Policy](#)

[Request for Leave Amendment form](#)

External

[Fair Work Act 2009](#) (Commonwealth)

Northern Territory Public Holidays

Document History and Version Control

Last amendment:	15 Dec 2017	Next Review:	Jun 2014
Sponsor:	Deputy Vice-Chancellor, Operations		
Contact Officer:	Director, People and Capability		

Version	Date Approved	Approved by	Brief Description
1.00	27 Jun 2012	Vice-Chancellor	Creation of original document and upload to CDU website.
1.01	28 Jul 2013	Governance	<ul style="list-style-type: none">Assigned document numberConverted document to current templateMinor changes to wording, grammar and formattingUpdated and added hyperlinks
1.02	15 Dec 2017	Governance	<ul style="list-style-type: none">Conversion to new template due to new University brandingUpdated definitionsUpdated hyperlinksAmended Contact Officer from Manager, Employee Relations, OHRS to Director, People and CapabilityAdded Sponsor Deputy Vice-Chancellor, OperationsAmended reference to OHRS to Office of People and CapabilityAmended reference to 'the Agreement' to CDU and Union Enterprise Agreement 2013