

## Basic guide to: Leave entitlements

This basic guide provides QTU members with information on their entitlements and can be used by school administration to help in timetabling

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This document is issued for general guidance only. It does not constitute professional advice. The issues with which it deals are complex and the document necessarily deals only with general principles. No reader should rely on this document for the purpose of making a decision as to action but should seek the appropriate advice from the Union on the particular circumstances of that reader. The Union accepts no responsibility for the consequences should any person act in reliance on this document without obtaining the appropriate advice from the Union.

As a teacher, you have access to a range of different types of leave, each designed to meet a specific purpose but all intended to help you maintain a healthy work/life balance. It is important that you are aware of and make use of these entitlements.

Further and more detailed information for sick leave, long service leave, parental leave, domestic and family violence leave and special leave is available in their specific information brochure.

### Sick leave

On permanent employment a 10-day sick leave credit is provided for the first year of service. Temporary teachers accrue sick leave at the same rate of permanent employees (following their first year allocation) at the rate of one half-day for each 18 days of service, based on a seven-day week and 52 weeks of the year.

Sick leave can be accessed in minimum blocks of 15 minutes and this has been confirmed by the department.

If you are absent through illness, you should notify the principal promptly, including the approximate period of absence. You are not required to provide details of the nature of the illness. A medical certificate or suitable documentation is required for sick leave of more than three days' duration.

If you are subject to a formal process for monitoring performance, conduct or attendance, the Director-General may require that a medical certificate is provided to support any application for sick leave for periods of three days or less.

### Meritorious sick leave credit

An additional credit of 65 working days of sick leave on full pay may be added to the sick leave account of a full-time teacher, provided that the teacher has completed 26 years of meritorious service within the Queensland public sector which counted towards long service leave accrual. Credit is calculated on a pro-rata basis for teachers who have been employed on a part-time basis. Applications should be made through an electronic form available on OnePortal. The 26 years is calculated from the date of application (the most recent service).

### Infectious diseases

A special credit of leave on full pay, not chargeable to any other leave account, may be approved if you are suffering from an infectious disease contracted during the course of employment. Please refer to the department's infection control guideline for the list of illnesses that are eligible.

### Superannuation disablement benefits (income protection)

For members of Q Super, if you exhaust your accrued sick leave for an extended period of sick leave you may be entitled to the payment of an income protection benefit from QSuper.

You cannot claim income protection if you need to care for a family member. Income protection can only be paid if you are temporarily ill or injured and are unable to work.

Waiting periods prior to the benefit being paid vary based on your circumstances and individual policy.

You will not be entitled to an income protection benefit if:

- your employment ends
- you reach age 65 (if you have an Accumulation Plan)
- you reach age 75 (if you have a Defined Benefit Plan).

***The amount payable and conditions vary depending on whether you have an Accumulation or Defined Benefit Plan.*** Further information should be sought from the QSuper Income Protection Guide.

### Carer's leave

You can use accrued sick leave to care for members of your immediate family or household who are ill. You can also seek to use your compassionate (discretionary special) leave for family illness purposes.

### Long service leave

Long service leave is available to any employee (permanent, temporary or casual) who has completed 10 years' continuous service, at the rate of 1.3 weeks on full pay for each year of continuous service, i.e. 13 weeks after 10 years, and a

proportionate amount for an incomplete year of service.

You are now entitled to take pro-rata long service leave after seven years' continuous service, but this does not entitle you to a cash payout upon resignation.

The minimum period of long service leave which can be taken at any one time is one day in the event that replacement is not required. Generally, for classroom teachers, or where replacement staffing is required, the minimum period of long service leave is one week.

You can access it in periods of no less than one day per week or fortnight, provided the requested periods amount to:

- five days or more in total, to facilitate the engagement of a replacement temporary teacher; or
- a lesser period, where there is no requirement to utilise the Teacher Relief Scheme (TRS).

Long service leave can be taken at full or half-pay. Half-pay long service leave cannot be taken where the leave is in a pattern (i.e., one day per week), unless you work a 0.2 fraction.

Applications should be submitted through the principal and should allow for two clear terms' notice, unless emergent or compassionate reasons exist. Approvals are pending departmental convenience, however any unsuccessful application should include specific explanation as to why the request cannot be accommodated. Non-approval of long service leave can be appealed.

Accrued long service leave can also be accessed in compassionate circumstances for long-term sick leave purposes where a teacher may have exhausted their sick leave balance.

## Parental leave

Paid parental leave (PPL) is the umbrella term for paid maternity leave, paid spousal leave, paid adoption leave, paid surrogacy leave, paid pre-natal leave, paid pre-adoption leave or paid pre-surrogacy leave. Currently foster carers for newborn infants are not recognised as eligible for paid parental leave by the employer.

To be eligible for PPL, you must have met the qualifying service period of at least 12 months' continuous service at least once in your unbroken service. This service is to be unbroken, or may be inclusive of paid and unpaid leave, which is credited towards service. Temporary employees must have a contract from which to access the leave from.

Birth, adoptive and surrogate parents who have the primary care for a baby are entitled to 14 weeks of PPL from the department and up to 25 hours of pre-

natal, pre-adoption or pre-surrogacy leave to attend appointments related to the birth, adoption or surrogacy. This can be taken in one-hour blocks, half days or full days. Evidence of each appointment needs to be provided.

Spouses have access to five hours of pre-natal leave and five days of paid spousal leave (short spousal leave). Short spousal leave is to be taken in conjunction with the birth. Shared primary carers leave (also known as long spousal leave) provides for paid leave if the spouse is primary care giver of the infant.

Applications for PPL should be submitted through the principal, providing 10 weeks' notice.

(Further and more detailed information is available in the Parental Leave advice brochure)

## Domestic and family violence

If you are affected by domestic and family violence, you can access a minimum of 10 days of paid leave per calendar year. A request for the leave is made through the principal. You do not have to use other leave entitlements before accessing this leave. The leave can be taken as consecutive days, single days or a fraction of a day.

You may also request further paid leave to seek support in relation to domestic and family violence. Such a request is made to the regional executive director, through the principal. The regional director or assistant regional director have the delegated authority to approve further paid leave under the directive, beyond the 10 days.

## Special leave

Non-discretionary special leave includes election, local government, Australian Volunteers International, declared emergency or disaster situation, Defence Reserve Forces, compassionate and bereavement leave.

## Compassionate leave

Two days of paid special leave is available when a member of an employee's immediate family or household contracts or develops an illness or sustains a personal injury that poses a serious threat to life. There is a requirement to furnish some form of documentation to support this leave type. This leave type is non-discretionary.

## Bereavement leave

An employee is entitled to bereavement leave on full pay on the death of a member of the employee's immediate family or household or if the employee, or the employee's spouse, is pregnant and the pregnancy ends other than by the birth of a living child. This leave type is an entitlement, however there is a requirement to furnish some form of documentation to support this leave.

### Discretionary special leave

Discretionary special leave provides the principal with the capacity to use their discretion to approve up to five days paid/unpaid leave per year per reason. Examples include, but are not limited to:

- emergency situations or compassionate grounds
- sporting competitions
- seminars, conferences, other than as an official representative
- duty as a returning officer
- floods, cyclones, bushfires, etc
- emergency management courses
- attendance at emergencies
- platelet and blood donors
- pre-retirement seminars
- change of residence
- leave to affect a transfer
- court attendance/jury service
- leave to extend workplace vacations
- study leave
- graduation ceremonies
- marriage leave
- cultural leave
- religious reasons
- other exceptional circumstances.

### Extended special leave without salary

There are two categories:

- leave for family responsibilities to care for a dependant child or family member (minimum one term and up to seven years)
- leave for other purposes, e.g. travel, study or other employment (minimum one term and up to three years).

The department requires two terms' notice to consider applications for leave without salary, which should be submitted via the principal. The application for leave form can be accessed via OnePortal.

To be eligible to apply, you should have had your appointment confirmed through the submission of a satisfactory probationary report. Approval is at the discretion of the department and is dependent upon the department being able to ensure effective service delivery continues. Teachers on extended special leave can be engaged by the department as supply or contract teachers.

However, it will not be granted to teachers wishing to work in a non-government school, and they may have to consider resignation.

### Industrial relations education (IRE) leave

IRE leave is paid time off to acquire knowledge and competencies in industrial relations, which can allow employees to effectively participate in consultative structures, perform a representative role and further the effective operation of grievance and dispute settlement procedures.

Employees may be granted up to five working days (or the equivalent hours) paid time off (non-cumulative) per calendar year, approved by the principal, to attend industrial relations education sessions. Paid leave for industrial training would fall under school cost recovery in accordance with the Teacher Relief Scheme.