

	<h2>LONG SERVICE LEAVE</h2>	Document No:	HR-PRO-022
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1. Purpose

The Australian Catholic Bishops Conference (ACBC) encourages workers to take long service leave accumulated after a number of years of continuous service. This ACBC procedure outlines the entitlement and arrangements for taking long service leave.

2. Scope

This procedure applies to all full-time and part-time workers in ACBC agencies. It also applies to casuals who meet the long service leave criteria.

3. Related Documents

Australian Capital Territory : Long Service Leave Act 1976
 New South Wales : Long Service Leave Act 1955
 Northern Territory : Long Service Leave Act 1981
 Queensland : Industrial Relations Act 1999
 South Australia : Long Service Leave Act 1987
 Tasmania : Long Service Leave Act 1976
 Victoria : Long Service Leave Act 2018
 Western Australia : Long Service Leave Act 1958

Fair Work Act 2009

[ACBC Conditions of Employment](#)

[HR-PRO-011 Grievances](#)

4. Definitions

Long Service Leave

Statutory entitlement to long service leave comes from the Fair Work Act, National Employment Standards (NES). Under the NES, an employee is entitled to long service leave in accordance with their applicable pre-modernised award. From 1 January 2010, if a pre-modernised award does not apply to an employee, any entitlement to long service leave is derived from applicable State or Territory long service leave laws.

Long service leave is available to all full-time and part-time workers and to certain casual workers. It is advisable to check state or territory legislation in relation to the long service leave entitlements of casual workers.

The Australian Catholic Bishops Conference's Conditions of Employment details the entitlement to long service leave.

Supervisor

The Supervisor is a Bishop, an Agency Head, Director, Manager, Coordinator or Team Leader, who is responsible for the day-to-day supervision of workers.

5. Responsibilities

Worker

The worker requesting long service leave must:

- Complete the "[Application for Leave of Absence](#)" and submit it to their Supervisor for approval.

Supervisor

The Supervisor is responsible for:

- Approval of long service leave
- Approval for variations to long service leave
- Informing the payroll function of long service leave to be taken
- Managing levels of long service leave accrued by their workers

6. Accrual of Long Service Leave

Workers are entitled to the more generous of:

- the number of weeks of paid long service leave as specified in the ACBC Conditions of Employment; or
- paid long service leave under applicable legislation.

Note: When considering taking long service leave it is advisable to check applicable state or territory legislation, to ensure that the more generous entitlement is taken.

Workers continue to accrue long service leave after ten (10) years of continuous service in accordance with the ACBC Conditions of Employment.

7. What is not Long Service Leave

A worker is not on long service leave if the period during which the worker takes long service leave:

- Includes a day or part-day that is a public holiday
- Includes a period of any other leave (other than unpaid parental leave), or a period of absence from employment due to community service leave.

8. Pay during Long Service Leave

Pay during long service leave is calculated at the worker's ordinary rate of pay for their last pay period before leave. The ordinary rate of pay is the worker's base rate of pay for their usual hours of work. It does not include:

- allowances
- shift loadings
- penalties
- overtime

9. Process for taking Long Service Leave

1. Workers are encouraged to take long service leave no later than a date twelve months after the full accrual of the entitlement.
2. If long service leave is taken under the ACBC Conditions of Employment, it can be taken in blocks of time (as short as a day) as agreed to by the employee and his/her supervisor. If an employee chooses to take long service leave under the applicable state legislation, then the leave must be taken in the periods (blocks of time) stated in applicable state or territory legislation.
3. The worker must submit an "[Application for Leave of Absence](#)" to their Supervisor at least six weeks before their intention to take long service leave.
4. The Supervisor may either approve or refuse the request for long service leave. However, a Supervisor must not refuse long service leave -unless it is on reasonable business grounds. The Supervisor should take into consideration the following:
 - Has the employee accrued sufficient long service leave (i.e. to cover the period of long service leave that they are requesting)

- The needs of the employee and the needs of the Agency
 - The custom and practice of your Agency
 - The amount of notice given
5. The Supervisor must consider the request for long service leave and approve the leave if the employee is eligible, by signing the “Application for Leave of Absence”.
 6. If the Supervisor has approved the application for leave of absence, the Employee must forward the signed “Application for Leave of Absence” form to the payroll function.
 7. If the Supervisor has refused the application for leave of absence, he /she must give the worker the reason for refusal and give the worker an opportunity to discuss the situation with a view to resolving the matter.
 8. If the worker is not satisfied with the response from the Supervisor, they may take action according to the ACBC process for resolving grievances ([HR-PRO-011 Grievances](#)).

10. Long Service Leave granted in advance

Workers are entitled to proportionate paid long service leave, the more generous of:

- after the number of years of continuous employment as stated in the ACBC Conditions of Employment ; or
- under applicable legislation.

11. Managing Accrued Long Service Leave

Supervisors are responsible for managing their workers’ long service leave to ensure that workers are not accruing excessive amounts of long service leave.

The maximum amount of long service leave that a worker can accrue is as stated in the ACBC Conditions of Employment.

A Supervisor can direct a worker to take long service leave if they have accrued an excessive amount of long service leave entitlement as stated in the ACBC Conditions of Employment.

12. Accrual of Entitlements while on Long Service Leave

Leave entitlements continue to accumulate while workers are taking long service leave. However, leave does not accumulate during periods of unpaid leave, such as unpaid parental leave, or unpaid authorised absences.

13. Long Service Leave at termination of employment

In most cases, any unused long service leave is paid out to a worker at the termination of employment as stated in the applicable state or territory legislation.

14. Portability of Long Service Leave

In general, long service leave is transferable between ACBC Agencies. Portability of long service between ACBC and other Catholic organisations is assessed and negotiated on a case by case basis. It is advisable to check state /territory legislation.

15. Records

[Application for Leave of Absence](#) form