



Netball Australia Leave Policy

8 December 2022

NETBALL AUSTRALIA LEAVE POLICY

Netball Australia pays respect to the traditional custodians of our ancient continent, Aboriginal and Torres Strait Islander peoples, we honour their continuing connection to country and their custodianship of the world's oldest living culture.

Where relevant, in this Policy – reference to Netball Australia includes Suncorp Super Netball and the Confident Girls Foundation.

Netball Australia's Purpose: Netball empowers girls and women to shine, while enriching and connecting communities.

Suncorp Super Netball's Purpose: Inspire generations and strengthen netball.

Confident Girls Foundation's Purpose: Empowering marginalised girls through netball.

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A. Purpose

The purpose of this Policy is to ensure that all Netball Australia (NA) Employees are aware of the types and amount of leave available to them.

B. Scope and Exclusions

This Policy applies to all Employees, including full-time, part-time, and casual employees. Casual employees have fewer leave entitlements, as specified below.

This Policy does not apply to independent contractors or consultants of NA.

C. Definitions

Words not defined below have the meaning established in the *Fair Work Act 2009* (Cth) and the *Sporting Organisations Award 2020*.

In this policy, the following definitions apply:

Act	means the <i>Fair Work Act 2009</i> (Cth) as amended from time to time including regulations made under the Act.
Award	means the <i>Sporting Organisations Award 2020</i> .
Casual employee	means a person who becomes an employee by accepting an offer of employment, which was made on the basis that the employer makes no firm advance commitment to continuing and indefinite work according to an agreed pattern of work for the person.
Child	<p>a) means a child (or children in respect of a multiple birth) of the Employee (or of the Employee's spouse) in the case of birth related leave.</p> <p>b) In the case of adoption-related leave, a Child is a child under the age of 16 years who is placed with the Employee for the purposes of adoption and who has not, or will not have, lived continuously with the Employee for a period of six months or more as at the day of placement and who is not (otherwise than because of the adoption) a child of the Employee or the Employee's spouse.</p>
Continuous Service	has the meaning set out in section 22 of the Act.
Contractor or Consultant	means an individual who is engaged by NA under a contract for services.
De facto partner	refers to two people who, although not legally married, live together in a relationship as a couple on a genuine domestic basis
Employee	means an individual who is employed directly by NA on an ongoing basis (full time or part time) or for a fixed term period.
Excessive leave accrual	means if the employee has accrued more than 8 weeks paid annual leave.
Extended Period of Leave	means leave of more than 20 consecutive days.

Family Structures	are a particular set of customs, morals, codes, and traditions shared by a social group, clan, tribe, community, or country of related people.
Immediate Family	<p>means the person's spouse (including a former spouse, a de facto partner, and a former de facto partner), and the person's and their spouse's children, parents, grandparents, grandchildren and siblings</p> <p>This definition includes the equivalent step-relations and adoptive relations.</p> <p>Depending on cultural values and kinship relationships, this definition may include, for example, elders, cousins, great-grandparents, aunts, and uncles, based on Family Structures.</p>
Medical Practitioner	has the meaning set out in section 12 of the Act.
National Employment Standards (NES)	means the National Employment Standards as provided in Part 2-2 of the Act.
Ordinary Hours of Work	has the meaning set out in Clause 13 of the Award.
Overtime	has the meaning set out in Clause 19 of the Award.
Primary Caregiver	<p>means the person who is the primary carer of a newborn or newly adopted Child. The primary carer is the person who meets the Child's physical needs more than anyone else. Only one person can be a Child's primary carer on a particular day. In most cases the Primary Caregiver will be the birth mother of a newborn or the initial primary carer of a newly adopted child. Where the Child is born through a surrogacy arrangement that is recognised under Australian law, the birth mother will be deemed to be the Primary Caregiver for the purposes of this clause.</p>
Probation period	The first 3 months of employment for a Full Time Employee or Part Time Employee is a period of probation. During the probation period, NA will assess the Employee's suitability for ongoing employment.
Secondary Caregiver	means a person who has parental responsibility for the Child but is not the Primary Caregiver.
Shutdown	means when NA temporarily closes during periods of the year, such as over Christmas and New Year, including temporary closures whether by government edict or economic necessity to shut down for an unknown period of time.
Spouse	includes a de facto partner, former spouse or former de facto partner.

D. Key Policy Principles

- I. Minimum leave entitlements for Employees come from the NES. An award, registered agreement or contract of employment can provide for other leave entitlements, but they cannot be less than what is included in the NES.
- II. This Policy is intended to comply with the NES, and reference should be had to the NES in the case of any ambiguity in this Policy.
- III. In this Policy, other than as provided in the NES, or explicitly noted in the relevant Clauses below:
 - a. where a period of paid leave falls on a Public Holiday, the leave will not be regarded as part of the paid leave and NA will grant the Employee reinstated leave
 - b. leave without pay shall not break an Employee's continuity of employment but it will not count as service for leave accrual or other purposes
 - c. the NA CEO (or comparable position) will determine if additionally provided NA leave is paid, unpaid or a combination of both
 - d. accrued and additional leave provisions are not accumulative.
 - e. Part-time Employee leave is calculated on a pro-rata basis.
 - f. NA additional leave provisions are not paid out upon retirement, resignation or termination of employment (including on account of redundancy or death).
 - g. additional leave provisions must be agreed to by the NA CEO or Executive General Manager (or comparable position) and the Employee and should not conflict with NA operational requirements.
 - h. NA will not unreasonably refuse a request by an Employee to take leave.
- IV. Notifications of absences may be required to be substantiated by evidence satisfactory to NA when an absence of more than three consecutive days occurs. Failure by the Employee to provide documentary evidence as required by NA within a reasonable period of time may render the Employee ineligible for payment for leave.
- V. An Employee must give NA sufficient notice of the absence as soon as possible (this may be after the leave starts) and the period or expected period of absence.
- VI. Unless otherwise stated, leave entitlements are non-accumulative.

E. Other Related Policies and Documents

The following NA policies and documents also apply to the application of this Policy:

- a) NA Code of Conduct

1. Annual Leave

- 1.1 All Employees, except for casual employees, are entitled to paid annual leave in accordance with the NES, and the additional provisions provided in Clause 20 of the Award.
- 1.2 Full-time employees are entitled to 20 days of paid leave per annum, accumulated from year to year. Part-time employees have equivalent pro-rata entitlements.
- 1.3 More information on annual leave entitlements can be found here: <https://www.fairwork.gov.au/leave/annual-leave>

2. Personal/Carer's Leave

- 2.1 All Employees, except for casual employees, are entitled to personal/carer's leave in accordance with the NES. An Employee can take paid personal/carer's leave if they are unfit to work because of personal illness or injury, or to provide care or support to a member of their immediate family or household who is affected by personal illness, injury or an unexpected emergency.
- 2.2 Full-time Employees are entitled to 10 days of paid personal/carer's leave per annum, accumulated from year to year. Part-time employees have equivalent pro-rata entitlements.
- 2.3 Employees, including casual employees, are entitled to two days of unpaid carer's leave for each occasion when a member of the employee's immediate family or household requires care or support because of a personal illness, injury or unexpected emergency.
- 2.4 More information on personal/carer's leave entitlements can be found here: <https://www.fairwork.gov.au/leave/sick-and-carers-leave>

3. Long Service Leave

- 3.1 Employees' entitlements to long service leave are governed by the state or territory in which the person is employed. Employees of NA are subject to the *Long Service Leave Act 2018* (Vic).
- 3.2 All Employees are entitled to long service leave if they have worked continuously for NA for at least seven years. After seven years, Employees are entitled to take their long service leave, or be paid any unused long service leave entitlement if employment ends.
- 3.3 Long service leave accrues at a rate of one week for every 60 weeks of continuous service. After seven years of continuous service, a full-time Employee would be entitled to 6.083 weeks of long service leave, with part-time and casual Employees having equivalent pro-rata entitlements.
- 3.4 Employees are encouraged to take long service leave as soon as practicable after the entitlement accrues. Employees may request to take double the long service leave at half the rate of pay. However, NA may determine the time for granting long service leave, so that NA's business operations are not unduly affected, however NA will not unreasonably withhold consent to long service leave.

- 3.5 Where an Employee's entitlement exceeds 13 weeks, NA will consult with the Employee with the aim to make a plan for the Employee to take half of their long service leave over the next two years. If such a plan cannot be made, NA may direct an Employee to take long service leave by giving an Employee at least 12 weeks' written notice. NA must take into account the Employee's personal circumstances and NA's operational requirements for business and be fair and reasonable in all the circumstances.
- 3.6 An Employee will not be directed to take long service leave within 24 months of the Employee's intended date of retirement, as advised in writing by the Employee to NA.
- 3.7 More information on long service leave entitlements can be found here: <https://www.vic.gov.au/long-service-leave>

4. Community Service Leave for Jury Duty

- 4.1 All Employees are entitled to paid community service leave in accordance with the *Juries Act 2000* (Vic) and the NES, to attend jury selection and jury duty.
- 4.2 For the entire duration of jury service, Employees are entitled to be paid the difference between the amount the court pays for jury service, and the amount the Employee would reasonably expect to have earned had they been at work instead.
- 4.3 An Employee taking community service leave for jury duty must provide NA with a Certificate of Attendance and remittance advice at the end of their jury service.
- 4.4 Where jury service arises during long service leave or annual leave, these entitlements will be reinstated.

5. Community Service Leave for Voluntary Emergency Management

- 5.1 All Employees are entitled to unpaid community service leave in accordance with the NES to engage in a voluntary emergency management activity.
- 5.2 NA grants five days' paid community service leave to full-time Employees, and equivalent pro-rata entitlements to part-time and casual Employees, to engage in a voluntary emergency management activity. This entitlement is non-accumulative and subject to the community service leave not adversely impacting NA's business operations.
- 5.3 Employees are entitled to take community service leave while they are engaged in the activity and for reasonable travel and rest time. There is no limit on the amount of community service leave an employee can take.
- 5.4 NA may request that an Employee taking community service leave provide evidence that the Employee is or will be engaging in a voluntary emergency management activity.
- 5.5 Voluntary emergency management activity has the meaning set out in the Act.
- 5.6 An Employee who is required to gain qualifications to perform volunteer service functions with a recognised emergency management body, as defined

in the Act, may be released from their normal duties to fulfil the requirements of those qualifications.

- 5.7 Defence Reservists are entitled to unpaid leave to undertake all types of Defence service, including training, under the *Defence Reserve Service (Protection) Act 2001* (Cth).
- 5.8 NA grants five days paid Australian Defence Force Reserve service leave to Defence Reservists who are full-time Employees, and equivalent pro-rata entitlements to Defence Reservists who are part-time and casual Employees, to engage in Defence services.
- 5.9 Employees are not required to use their annual leave or long service leave for absences on Defence service, but may elect to do so by mutual agreement with NA.

6. Australian Government Parental Leave

- 6.1 Employees may be entitled to benefit from the Australian Government's Paid Parental Leave scheme, subject to eligibility requirements. This allows eligible Employees to take paid leave, at the rate of the National Minimum Wage, to care for a new child.
- 6.2 This scheme is complementary to, and does not affect any Employee's entitlements to, other parental leave. Participating in this scheme will not change an Employee's entitlement to NA Parental Leave.
- 6.3 More information on the Paid Parental Leave scheme and eligibility criteria can be found here: <https://www.servicesaustralia.gov.au/parental-leave-pay>

7. NA Parental Leave: Primary or Secondary Carer

- 7.1 NA has determined to supplement the parental leave entitlements provided under the NES.
- 7.2 An Employee is entitled to NA Primary or Secondary Carer Parental Leave if:
 - 7.2.1 the leave is associated with:
 - 7.2.1.1 the birth of a child of the Employee or the Employee's Spouse; or
 - 7.2.1.2 the placement of a child aged below 16 with the Employee for adoption; and
 - 7.2.2 the Employee has or will have a responsibility as the Primary or Secondary Carer for the child; and
 - 7.2.3 they have completed at least 12 months of continuous service with NA prior to the commencement of the leave or the date of birth or adoption.
- 7.3 Only one parent can receive Primary Carer, and only one parent can receive Secondary Carer, NA Parental Leave entitlements in respect of the birth or adoption of their child.

- 7.4 An Employee who has received Primary Carer Parental Leave cannot receive Secondary Carer Parental Leave in respect of the same child.
- 7.5 Where the Primary Carer proposes to take a period of leave, 12 months or less, as a full-time Employee (with equivalent pro-rata entitlements for part-time Employees), they are entitled to:
- 7.5.1 up to 18 weeks' continuous paid leave; and
 - 7.5.2 34 weeks of continuous unpaid leave.
- 7.6 A Secondary Carer is entitled to up to 12 months' leave. As a full-time Employee (with equivalent pro-rata entitlements for part-time Employees), this comprises:
- 7.6.1 up to 6 weeks' continuous paid leave; and
 - 7.6.2 up to 46 weeks of continuous unpaid leave.
- 7.7 NA and the Employee may agree to the Employee taking double the period of NA Primary or Secondary Carer Parental Leave at half pay, if the period of total leave does not exceed 12 months, and subject at all times to NA's operational requirements.
- 7.8 An Employee may, in lieu of or in conjunction with Parental Leave, access any annual leave or long service leave entitlements they have accrued, subject to the total amount of leave not exceeding 12 months.
- 7.9 Unless otherwise agreed between NA and the Employee, NA Primary Carer Parental Leave commences on the day of birth or placement of the child, and NA Secondary Carer Parental Leave may commence on or after this date up to 24 months after this date.
- 7.10 An Employee who is pregnant may commence NA Primary Carer Parental Leave at any time within 12 weeks prior to the expected date of birth, but no later than the actual date of birth.
- 7.11 Unless otherwise agreed between NA and the Employee, NA Primary Carer Parental Leave commences on the day of birth or placement of the child, and NA Secondary Carer Parental Leave may commence on or after this date.
- 7.12 Any employee who has taken parental leave and received a parental leave payment must return to work (either full-time or part-time) at the conclusion of the parental leave and complete a further 12 months continuous service to be eligible for a further parental leave payment. Please note, nothing in this clause is intended to affect an employee's entitlement to unpaid parental leave under the NES or to the federal government's paid parental leave scheme.
- 7.13 Employees who are entitled to NA Primary or Secondary Carer Parental Leave in relation to the adoption of a child are also entitled to 2 days' unpaid pre-adoption leave to attend relevant interviews or examinations, under the NES. If the Employee has another form of leave available, such as annual leave, NA may direct the Employee to take that other form of leave.

8. NA Parental Leave: Surrogacy Leave

- 8.1 Where an Employee (excluding a casual Employee) who has, or will have by the time of the leave, completed at least twelve months of continuous service, is pregnant with a baby pursuant to a surrogacy arrangement recognised under the *Assisted Reproductive Treatment Act 2008* (Vic) or any equivalent Australian law, the Employee will be entitled to 8 weeks' continuous paid leave within 12 months of the date of birth or placement, in connection with the birth of the child (with pro-rata entitlements for part-time Employees).

9. NA Parental Leave: Fertility Leave

- 9.1 Where an Employee (excluding a casual Employee) who has, or will have by the time of the leave, completed at least twelve months of continuous service, chooses to undergo fertility treatment, the Employee will be entitled to one week of paid leave in connection with the fertility treatment (with pro-rata entitlements for part-time Employees).
- 9.2 Fertility Leave may only be taken once per annum but need not be taken continuously.
- 9.3 NA may request a medical certificate as evidence confirming the fertility treatment.
- 9.4 Fertility Leave is not available to the spouse of a person undergoing fertility treatment.

10. NA Parental Leave: Grandparent Leave

- 10.1 Where an Employee (excluding a casual employee) who has, or will have, completed at least twelve months of continuous service, who is or will be the Primary Carer of a grandchild, is entitled to up to 52 weeks' continuous unpaid Grandparent Leave in respect of the birth or adoption of the grandchild of the Employee. This entitlement is to be taken within 12 months of the placement of the child within the first 12 months.

11. NA Parental Leave: Permanent Care Leave

- 11.1 An Employee, other than a casual employee, is entitled to 12 weeks' continuous paid Permanent Care Leave if:
- 11.1.1 they have completed at least twelve months of continuous service with NA;
 - 11.1.2 they are granted a permanent care order in relation to the custody or guardianship of a child, pursuant to the *Children, Youth and Families Act 2005* (Vic) or under any equivalent Australian law; and
 - 11.1.3 they are the Primary Carer for the child.

12. NA Parental Leave: Pregnancy Resulting in Miscarriage or Stillbirth

- 12.1 A pregnant Employee is entitled to 1 week of paid leave in the event of a pregnancy ending in miscarriage of 8 weeks or less.

- 12.2 A pregnant Employee is entitled to 2 weeks of paid leave in the event of a pregnancy ending in miscarriage between 8 weeks and 20 weeks.
- 12.3 Unpaid parental leave in respect of stillbirths will be provided in accordance with the NES.
- 12.4 We are dedicated to supporting our Parents and understand any miscarriage or stillbirth is an extremely difficult time for parents at any stage. Each occasion will be considered, supported and counselling provided.

13. Domestic Violence Leave

- 13.1 NA recognises that Employees can and do face situations of violence or abuse in their personal life, which may affect their attendance or performance at work.
- 13.2 A full-time Employee who experiences family violence is entitled to up to 10 days paid Domestic Violence Leave per annum.
 - 13.2.1 This entitlement is not pro-rated for part-time or casual employees
 - 13.2.2 This entitlement will not accumulate from year to year if not used
- 13.3 Domestic Violence Leave may be used to deal with the impact of family violence, including attending medical appointments, counselling, or court hearings, and accessing relocation, police, financial or legal services. This leave may be taken in consecutive, single, or partial days, without prior approval.
- 13.4 An Employee who supports a person experiencing family violence may utilise their personal/carer's leave entitlements to accompany the person to court, to hospital, or to care for children.

14. Compassionate Leave

- 14.1 All Employees are entitled to 2 days paid per annum, non-accumulative Compassionate Leave each time an immediate family or household member dies or suffers a life-threatening illness or injury.
- 14.2 Compassionate Leave can be taken as consecutive or single days, or as otherwise agreed between the Employee and NA.
- 14.3 If an Employee is already on another type of leave and needs to take Compassionate Leave, the Employee can use their Compassionate Leave instead of the other leave.
- 14.4 Where an Employee requires more than 2 days Compassionate Leave, the NA CEO (or comparable person) can approve this after talking with the Employee based on their individual circumstances. The period of additional Compassionate Leave may be paid, unpaid or a combination of both.

15. Rehabilitation Leave

- 15.1 An Employee who has completed at least 12 months' continuous service with NA, other than a casual Employee, may be granted leave to undertake an approved rehabilitation program where NA is satisfied that:

- 15.1.1.1 the Employee's work performance is adversely affected by the misuse of drugs or alcohol or problem gambling.
- 15.1.1.2 the Employee is prepared to undertake a course of treatment designed for the rehabilitation of persons with alcohol, drug or gambling related problems; and
- 15.1.1.3 in the case of an alcohol or drug addiction, a Medical Practitioner has certified that, in their opinion, the Employee is in need of assistance because of their misuse of alcohol or drugs and the Employee is suitable for an approved rehabilitation program; or
- 15.1.1.4 in the case of problem gambling, the Employee satisfies the eligibility criteria for entry into a gambling rehabilitation program approved by NA.

16. Cultural and Ceremonial Leave

- 16.1 An Employee (other than a casual Employee) is entitled to up to 3 days' paid leave per annum, non-accumulative, for the purpose of fulfilling or observing religious, ceremonial or culturally or historically significant days.
- 16.2 NA recognises that a wide range of important customs, traditions and holidays are celebrated or observed across different cultures and religions.
- 16.3 NA may require reasonable evidence in support of Cultural and Ceremonial Leave. If insufficient or unreasonable evidence is provided, NA has the right to deny this leave request.
- 16.4 Paid leave is not normally granted for participation in pilgrimages or religious conventions.

17. Birthday Leave

- 17.1 An Employee who has completed at least three months' continuous service with NA (other than a casual Employee) is entitled to one day's paid leave per annum on their birthday.
- 17.2 Birthday Leave is to be taken on the Employee's actual birthday unless otherwise approved by the NA CEO or Executive General Manager.
- 17.3 If the Employee's birthday falls on a weekend or public holiday, or if operational requirements prevent the leave from being taken on the Employee's actual birthday, Birthday Leave may only be taken during the month of the Employee's birthday.

18. Study Leave

- 18.1 A full-time Employee who has completed at least 12 months' continuous service with NA (other than a casual Employee) is entitled to a maximum of one week's paid Study leave per annum, non-accumulative, with equivalent pro-rata entitlements for part-time Employees.
- 18.2 The Employee will need to provide evidence outlining the nature of the course and duration.

19. Purchasing Additional Leave

- 19.1 An Employee, other than a casual Employee, may purchase up to an additional 4 weeks of leave per annum.
- 19.2 Purchased leave must be taken during the approved 12-month period. All outstanding annual leave must be taken prior to taking any purchased leave.

20. Sabbatical Leave

- 20.1 An Employee who has completed at least 12 months' continuous service with NA (other than a casual Employee) may apply for Sabbatical Leave. Sabbatical Leave enables an Employee to spread 4 years income over a 5-year period, enabling an Employee to take off a year of work with income.
- 20.2 Sabbatical Leave must be approved by the NA CEO.

21. Leave Without Pay

- 21.1 An Employee may be granted Leave without Pay, subject to NA's approval, for other reasons not specifically provided for in this Policy.
- 21.2 All annual leave and long service leave must be taken before Leave without Pay is granted.

22. Special Leave

- 22.1 An Employee may apply for a period of Special Leave for unusual or extenuating circumstances.
- 22.2 Special Leave requests must be approved by the NA CEO.

23. Leave for More than a 12-month Period

- 23.1 Any Employee who takes Leave without Pay may request an extension of up to a further 12 months immediately following the end of the originally agreed leave period.
- 23.2 An Employee must submit the extension request to their Executive General Manager at least ten weeks prior to the scheduled end date of their original leave period. Approval can only be granted by the NA CEO.

24. Early Return from Leave

- 24.1 During an extended period of leave an Employee may return to work at an earlier time than previously agreed between NA and the Employee, provided that a suitable position is available at an earlier date for the Employee.
- 24.2 Approval for early return can only be granted by the NA CEO.
- 24.3 Employees are not able to return to work within 6 weeks of giving birth without medical clearance.

25. Time off in Lieu (TOIL)

- 25.1 As is commonplace for sporting organisations, after hours and weekend events and functions work is a requirement for some NA Employees.
- 25.2 In addition to event day and function activities, from time to time, Employees may be required to work longer hours to accommodate an urgent business request, attend meetings or represent NA outside of their usual working hours.
- 25.3 NA provides a flexible working environment and encourages an informal “give and take” arrangement between Employees and NA that balances the needs of the business with the health and wellbeing of Employees.
- 25.4 TOIL arrangements are designed to ensure that an Employee is not working excessive hours and to ensure work/life balance. It is not expected that TOIL will be a standard or regular occurrence.
- 25.5 As per Clause 8 of the NA Employee Collective Agreement 2016;
 - 25.5.1 The ordinary hours for Full-time Employees will be 38 hours per week averaged over a period of 12-months.
 - 25.5.2 Ordinary hours of work may be worked on any day.
 - 25.5.3 All ordinary hours of work performed on a Saturday and Sunday have been taken into account in determining an Employee’s Hourly Rates of Pay.
 - 25.5.4 Employees will be entitled to TOIL - being for overtime worked in excess of 38 hours per week averaged over a period of 12-months.
 - 25.5.5 TOIL accrues in an amount equal to overtime worked by an Employee that is required (and approved) by NA.
 - 25.5.6 On a Public Holiday, the accrual of TOIL will be at the rate of time and a half instead of single time.
 - 25.5.7 Any TOIL that has been approved by an Employee’s Executive General Manager (or comparable position), must be taken within 6 months of accrual.
 - 25.5.8 TOIL will not be accrued if not taken in the 6-month period, and is not paid out upon retirement, resignation or termination of employment (including on account of redundancy or death).
- 25.6 Executive General Managers (or comparable positions) are not entitled to TOIL.
- 25.7 TOIL for additional hours worked between Monday to Sunday will be approved by the relevant Pillar Executive General Manager (or comparable position) and managed on a case by case basis taking into account that:
 - 25.7.1 TOIL must be approved in advance by the relevant Executive General Manager or Head of Unit (or comparable position);
 - 25.7.2 The Employee is responsible for accurately recording TOIL and providing a written record on a monthly basis to their immediate

supervisor, copying in the Head of People and Performance to enable Employee Health and Wellbeing to be managed;

- 25.7.3 TOIL can only be accrued where the Employee, for operational reasons, is unable to take the equivalent time off during the next seven-day week. For example, an Employee who works on Saturday, could take Wednesday off as a non-workday.

26. Transfer to a Safe Job

- 26.1 An Employee, who provides medical evidence that they are fit for work, but it is inadvisable for them to continue in their current position due to illness, risks or hazards, is entitled to transfer to a safe job for the required length of time.
- 26.2 Where the Employee's illness, risks or hazards relate to the Employee being pregnant, they are entitled under the NES to be transferred to a job with the same ordinary hours of work, or a different number of ordinary hours agreed to by the Employee.
- 26.3 If no appropriate safe job is available, then the Employee may be placed on paid or unpaid special leave for the required length of time. Pregnant Employees may be entitled to paid no safe job leave under the NES.

27. Keeping in Touch Days

- 27.1 Subject to NA's agreement, an Employee on extended leave may participate in Keeping in Touch Days to facilitate a return to employment at the end of the period of leave.
- 27.2 The Employee will be paid at their ordinary hourly rate on a Keeping in Touch Day. Keeping in Touch Days will count as service for all purposes but will not extend the total period of leave.
- 27.3 Keeping in Touch Days cannot be used to perform normal work activities.
- 27.4 Keeping in Touch Day activities may include participating in a planning meeting, completing on the job training, or performing work to become familiar with the workplace or the Employee's role.

28. Consultation on Change While on Extended Leave

- 28.1 Where NA proposes to introduce major changes that are likely to impact an employee's position while they are on a period of extended leave, NA will:
 - 28.1.1 provide the Employee with information about the change; and
 - 28.1.2 consult with the Employee regarding the impact of the proposed change on the Employee's position.

29. Request for Flexible Work Arrangements

- 29.1 NA encourages Employees to embrace flexible working, with the aim of improving productivity, engagement, and results for everyone involved. NA will support all Employees to have open discussions about working flexibly to suit

their individual circumstances, with the aim to meet both Employees' needs and NA's business and legislative requirements.

- 29.2 Flexible work arrangements will reflect different workforce requirements and should be reviewed on a regular basis.
- 29.3 NA does not tolerate discrimination or anyone unreasonably refusing requests for flexible work.

30. Right to Return to Work

- 30.1 On returning to work after a period of extended leave, Employees are entitled to return to their previously held position, unless the position no longer exists, or a contrary agreement was reached prior to the Employee going on extended leave.
- 30.2 Where the Employee's previously held position no longer exists, the Employee will be offered an available position for which the Employee is qualified and suited, nearest in status and pay to the previously held position.
- 30.3 If there is no other available or suitable position, redundancy may apply.
- 30.4 Employees are not able to return to work within 6 weeks after giving birth without medical clearance.
- 30.5 Full-time Employees are entitled to request to return to work on a part-time basis. NA will seek to accommodate this request in accordance with the NES.

31. Child and Support Person Travel Arrangements for Primary Carers

- 31.1 NA aims to support Primary Carers with their childcare responsibilities as they return to work.
- 31.2 Subject to clauses 31.3 and 31.4 below, if an Employee, other than a casual Employee, is the Primary Carer for a child aged below 24 months (the **Dependent Child**), and the Employee is required to travel for and on behalf of NA either domestically or internationally, NA shall pay the reasonable travel and accommodation costs for the Dependent Child and one accompanying support person (the **Support Person**) as follows:
 - 31.2.1 the Support Person and Dependent Child may travel on the same flight as the Employee and subject to airline requirements, be seated with the Employee;
 - 31.2.2 suitable road transportation arrangements will be made, in consultation with the Employee, in line with local legislation;
 - 31.2.3 **reasonable accommodation**: accommodation arrangements will be determined on a case by case basis taking into account the individual circumstances of the Employee;
 - 31.2.4 NA is responsible for organising, booking and confirming the travel and accommodation provisions detailed in this policy; any changes to bookings once made at the request of the Employee, may be at the Employee's expense; and

- 31.2.5 NA will not be required to pay meal allowances for the Support Person or the Dependent Child and these expenses will be the responsibility of the Employee.
- 31.3 To be eligible for Child and Support Person Travel Arrangements under this clause the Primary Carer must:
 - 31.3.1 be required to travel for and on behalf of NA either domestically (including intrastate where the Employee is away from home) or internationally in order to perform their role; and
 - 31.3.2 the nights away from home in order to perform the Employee's role must exceed 3 or more nights away from home. In the event that travel:
 - 31.3.2.1 is less than 3 nights, NA will consider each Employee and any request on a case by case basis, noting individual circumstances and requirements of role;
 - 31.3.2.2 is more than 20 nights or more, NA will consult with the Employee on the reasonable travel requirements and support for the Dependent Child and the Support Person.

32. Public Holidays

- 32.1 Employees are entitled to be absent from work on Victorian and national public holidays in accordance with the NES. Employees, other than casual employees, are entitled to be paid on public holidays which fall on their normal days of work.
- 32.2 Penalty rates relating to public holidays are stipulated in Clause 25 of the Award.
- 32.3 More information on entitlements to public holidays under the NES can be found here: <https://www.fairwork.gov.au/employment-conditions/public-holidays#related-information>

33. Directing an Employee to Take Leave

- 33.1 In accordance with the Act, NA may stand down an Employee during a period in which the Employee cannot usefully be employed because of industrial action, breakdown in machinery or equipment, or stoppage of work for any cause for which NA cannot be held responsible.
- 33.2 If NA stands down an Employee, then NA can direct the Employee to take any unused leave entitlements for that period of time. If an Employee has insufficient accrued leave to cover a shutdown period, they will be required to take unpaid leave for the remainder. NA is not required to pay the Employee for that period.
- 33.3 Employees may be directed to take leave, for example, during NA's Christmas shutdown, and where an Employee has accumulated excess annual leave.

34. Think A Mistake Might Have Been Made?

- 34.1 If an Employee thinks their accumulated leave entitlements are not correct or they have been paid leave entitlements incorrectly, they should speak with Payroll Services in the first instance.
- 34.2 If an NA Employee remains concerned or the matter is unable to be resolved, they should speak with the Head of People and Culture or the Chief Executive Officer.

35. Policy Review

- 35.1 This Policy is subject to ongoing monitoring and an annual review by NA at its sole discretion and depending on the needs of the business.

END

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Supersedes:	N/A Note: also aligns with Netball Australia Employee Collective Agreement

Schedule 1: Summary of Leave Provisions

Leave Type		Full-Time Employees (1 day = 7.6 hours)	Part-Time	Casual
Annual Leave	NES	20 days paid per annum, cumulative	Pro-rata	Nil
Personal Leave	NES	10 days paid per annum, cumulative	Pro-rata	Nil
Long Service Leave	VIC	Period of continuous service of at least 7 years is entitled to at least 6.083 weeks paid	Pro-rata	Nil
Community Service Leave - Jury Duty	VIC	Make-up pay for the duration of jury service	Pro-rata	Pro-rata
Community Service Leave - Emergency Management	NA	5 days paid per annum, non-cumulative	Pro-rata	Pro-rata
Community Service Leave - Australian Defence Force Reserves Service Leave	NA	5 days paid per annum, non-cumulative	Pro-rata	Pro-rata
Australian Government Parental Leave: Primary Carer	CTH	Up to 18 weeks paid	Pro-rata	Pro-rata
NA Parental Leave: Primary Carer	NA	Up to 18 weeks paid, and 34 weeks unpaid	Pro-rata	Nil
NA Parental Leave: Secondary Carer	NA	Up to 6 weeks paid, and 46 weeks unpaid	Pro-rata	Nil
NA Parental Leave: Surrogacy	NA	Up to 8 weeks paid	Pro-rata	Nil
NA Parental Leave: Fertility	NA	1 week paid, per annum, non-cumulative	Pro-rata	Nil
NA Parental Leave: Grandparent	NA	Up to 12 months continuous unpaid	Pro-rata	Nil
NA Parental Leave: Permanent Care Leave	NA	Up to 12 weeks paid	Pro-rata	Nil
NA Parental Leave: Pregnancy Resulting in Miscarriage or Stillbirth	NA	Up to 4 weeks paid	Pro-rata	Nil
Domestic Violence Leave	NA	Up to 10 days paid per annum, non-cumulative	Nil	Nil
Compassionate Leave	NA	2 days paid per annum, non-cumulative	Pro-rata	Pro-rata

Rehabilitation Leave	NA	Paid or unpaid or a combination as determined by the NA CEO	Pro-rata	Nil
Cultural and Ceremonial Leave	NA	Up to 3 days paid per annum, non-cumulative	Pro-rata	Nil
Birthday Leave	NA	1 day paid per annum, non-cumulative	1 day paid per annum, non-cumulative	Nil
Study Leave	NA	1 week paid per annum, non-cumulative	Pro-rata	Nil
Purchasing Additional Leave	NA	Purchase an additional 4 weeks leave	Pro-rata	Nil
Sabbatical Leave	NA	Spread 4 years income over a 5-year period	Pro-rata	Nil