LEAVE POLICY

1.0. PURPOSE

This policy outlines the types of leave that Glad Group employees may access. It defines when employees are eligible for leave and it outlines the process for leave requests and approvals. Employees are entitled to take leave in accordance with their relevant industrial instrument or contract of employment, but this cannot be less than what is provided for in the National Employment Standards (NES) within the Fair Work Act or any applicable state-based regulation.

2.0. SCOPE

This policy is applicable to all Glad Group employees in Australia. For the purpose of this policy Glad Group consists of:

- **Glad Group Pty Ltd** | ABN 62 092 928 115
- Glad Security Pty Ltd t/as **Glad Group Services** | ABN 99 122 097 590
- **Australian Protective Services** | ABN 46 610 471 424
- **Glad Maintenance Pty Ltd** | ABN 85 127 522 481
- **Auxus Pty Ltd** | 12 655 147 292
- Stratium Global Pty Ltd t/as **Unifyd Technology** | 55 627 094 366
- **Australian Protective Services Pty Ltd** | 47 610 471 424

3.0. POLICY STATEMENT

Employees are entitled to leave in accordance with an applicable industrial instrument, state based legislation and the NES under the Fair Work Act and this policy must be read in conjunction with these. To the extent of an inconsistency between the terms of this policy and the conditions of an applicable industrial instrument or regulatory obligations, the terms and conditions more favourable to the employee will prevail.

3.1. Annual Leave

Glad Group manages annual leave in accordance with the applicable industrial instrument and the Fair Work Act. Subject to a contract of employment setting out a more beneficial entitlement entitlements are as outlined below:

Full Time Employees are entitled to:

- progressively accrue annual leave from the date full-time employment commenced. Full annual entitlements are realised over the course of a 12-month period
- 4 weeks of paid annual leave (non-shiftworker) that accumulates from year to year
- 5 weeks of paid annual leave (shiftworker) that accumulates from year to year

Part Time Employees are entitled to:

- progressively accrue a pro rata amount of annual leave, in accordance with their ordinary hours worked from the date part time employment commenced. Full annual entitlements are realised over the course of a 12-month period

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- 4 weeks (pro-rata) of paid annual leave (non shiftworker) that accumulates from year to year
- 5 weeks (pro-rata) of paid annual leave (shiftworker) that accumulates from year to year

Casual Employees

- are not entitled to paid annual leave

Shiftworker Definition for the Purpose of Annual Leave

An employee classified as a shiftworker is entitled to 5 weeks of paid annual leave. Shiftworkers are defined in the NES, however certain Industrial Instruments may provide more specific definitions to an industry. For the purposes of understanding the definition of a shift worker, legal precedent has been relied upon for the approach taken by Glad Group.

An employee is a shiftworker if the employee:

- works on a roster that includes all 7 days of the week; and
- is available to work ordinary shifts on each of the 7 days of the week; and
- works at least 34 Sundays over a 52-week period; and
- works at least 6 public holidays over a 52-week period

In addition:

- employees under the Retail and Clerks Awards must also work on a roster that is 24/7
- employees under the Electrical Award must work on all 7 days of the week

Request for Annual Leave to Be Taken

Employees must request to take annual leave before going on leave. Generally, at least 4 weeks' notice is required and be in writing. When considering requests for annual leave Glad Group will consider operational requirements. The annual leave must be recorded in the time and attendance system as per section 3.8.

Requests for leave without pay instead of annual leave or when annual has been exhausted are generally not accepted however it is at the discretion of Glad Group to approve such requests.

Payment of Annual Leave

For employees under an industrial instrument, annual leave is paid as per the obligations under the relevant industrial instrument and the Fair Work Act.

For industrial instrument free employees, annual leave is paid at the employee's base rate of pay for all ordinary hours worked. Ordinary hours cannot exceed 38 hours in a week.

On termination of employment and unless another agreement is in place between Glad Group and the employee, Glad Group must pay the employee for any period of untaken annual leave. The payment for the untaken leave must be the same as what the employee would have been paid if they took the leave. This includes annual leave loading if it applied during employment.

Requests for leave without pay will not be considered until annual leave accruals have been exhausted.

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Excessive Annual Leave Balance

Glad Group may direct an employee who has an annual leave balance in excess of 8 weeks (or 10 weeks if they are a shiftworker) to take annual leave in accordance with the requirements of the applicable industrial instrument and the Fair Work Act.

Cashing out of Annual Leave

Employees covered by an industrial instrument that permits the cashing out of annual leave may cash out their leave only with the written agreement of Glad Group and in accordance with the requirements of the industrial instrument and the Fair Work Act.

Employees not covered by an industrial instrument may only cash out their annual leave with the written consent of Glad Group and in accordance with the requirements of the Fair Work Act.

Requests for cashing out of annual leave will only be considered where the requestor's annual leave balance will be 4 weeks or more after the cash out, and where the number of weeks requested for cashing out does not exceed 2 weeks.

3.2. Personal/Carer's Leave

Glad Group manages personal/carer's leave in accordance with the applicable industrial instrument and the Fair Work Act. Personal/carer's leave is also referred to as sick leave.

Employees can request paid personal/carer's leave:

- if they are unfit for work because of their own personal illness or injury
- to provide care or support to an immediate family or household member because of personal illness, injury or emergency affecting the member.

Glad Group defines an immediate family member or household member as:

- a spouse (or former spouse), de facto partner (or former de factor partner), child, parent, grandparent, grandchild, or sibling or;
- a child, parent, grandparent, grandchild or sibling of the employee's spouse (or former spouse), de facto partner (or former de factor partner)

Full Time Employees

- progressively accrue 10 days of paid personal/carer's leave per year from the date full-time employment commenced. These entitlements accumulate from year to year
- are entitled to 2 days of unpaid carer's leave for each occasion if paid personal/carer's leave is exhausted

Part Time Employees

- progressively accrue a pro rata amount of 10 days of paid personal/carer's leave per year, in accordance with their ordinary hours worked from the date part-time employment commenced. These entitlements accumulate from year to year
- are entitled to 2 days of unpaid carer's leave for each occasion if paid personal/carer's leave is exhausted

Casual Employees

- are not entitled to paid personal/carer's leave
- are entitled to two 2 days of unpaid carer's leave for each occasion

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Request for Personal/Carer's Leave to Be Taken

Employees are expected to notify their manager directly via telephone call whenever possible prior to the absence or as soon as reasonably practicable. If a phone call is not possible, or another method of notification has been agreed upon (e.g. voicemail, text message), those alternatives are acceptable. If the manager is unavailable, the employee must inform another appropriate person as agreed upon.

The personal/carer's leave must be recorded in the time and attendance system as per section 3.8.

For all absences taken as personal/carer's leave, an employee may be required by Glad Group to provide a medical certificate from a registered health practitioner or other form of documentary evidence satisfactory to Glad Group such as a statutory declaration, to substantiate the reason for the leave taken.

Statutory Declaration

Other documentation can include a statutory declaration.

- A statutory declaration made by the employee must be witnessed by a Justice of the Peace (JP)
- The information provided in a statutory declaration must satisfy a reasonable person that the employee needs to take personal/carer's leave
- It is a criminal offence to lie on a statutory declaration

Locations that may have a JP include:

- The offices of members of the Parliament
- Chemists
- Councils and public libraries
- Post Offices
- Police Stations

The requirement to provide documentation is at the discretion of the employees' manager and/or People and Culture and will be made on a case-by-case basis.

Employees may not be entitled to paid personal/carer's leave if they do not provide evidence as required by Glad Group to substantiate the reason for the leave taken.

If paid personal/carer's leave accruals have been exhausted employees can request for annual leave to be used however it is at the discretion of Glad Group to approve such requests.

Cashing out of Personal/Carer's Leave

Personal/carer's leave cannot be cashed out.

3.3. Compassionate Leave

Glad Group manages compassionate leave in accordance with the applicable industrial instrument and the Fair Work Act. Compassionate leave is also referred to as bereavement leave.

Full Time and Part Time Employees are

- entitled to a period of 2 days paid compassionate leave for each occasion an immediate family or household member suffers from a serious or life-threatening personal injury or illness, or has passed away

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Casual Employees are

- entitled to a period of 2 days unpaid compassionate leave for each occasion an immediate family or household member suffers from a serious or life-threatening personal injury or illness, or has passed away

Additional unpaid compassionate leave may be granted at the discretion of Glad Group. Any additional unpaid leave will only be considered once all other leave entitlements have been exhausted.

Request for Compassionate Leave to Be Taken

Compassionate leave may be taken as:

- a single, unbroken period of 2 days
- 2 separate periods of 1 day each or;
- any separate periods to which the employee and Glad Group agree

Employees must notify their manager directly by telephone, in person or as per agreement between the manager and the employee prior to the absence or as soon as reasonably practicable after the leave has started. The compassionate leave must be recorded in the time and attendance system as per section 3.8.

For all absences taken as compassionate leave, an employee may be required by Glad Group to provide a medical certificate from a registered health practitioner or other form of documentary evidence satisfactory to Glad Group, to substantiate the reason for the leave taken. The requirement to provide documentation is at the discretion of the employees' manager and/or People and Culture and will be made on a case-by-case basis.

Cashing out of Compassionate Leave

Compassionate leave cannot be cashed out.

3.4. Long Service Leave

Glad Group manages long service leave in accordance with the applicable industrial instrument and long service leave legislation in the relevant state or territory.

Long service leave agencies in each state and territory provide information about these specific entitlements:

- ACT – WorkSafe ACT
- NSW – NSW Industrial Relations
- NT – NT Government
- QLD – Queensland Industrial Relations
- SA – SafeWork SA
- TAS. – WorkSafe Tasmania
- VIC – Wage Inspectorate Victoria
- WA – Department of Mines, Industry Regulation and Safety

Portable Long Service Leave

Some states and territories have long service leave legislation that provide employees in the security and contract cleaning industry with access to portable long service leave. This means that an employee keeps their long service leave entitlement when they change employer but remain in the industry.

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Further information about these specific entitlements can be found via:

Security

- Portable long service

Cleaning

- ACT – ACT Leave
- NSW – New South Wales Long Service
- QLD – QLeave
- VIC – Portable long service

Request for Long Service Leave to Be Taken

When employees request long service leave, the leave must be approved by Glad Group. When considering requests for leave Glad Group will take into consideration operational requirements. Glad Group requires:

- 4 weeks' written notice if request is for 4 weeks or less
- 6 weeks' written notice if request is for more than 4 weeks

The long service leave must be recorded in the time and attendance system as per section 3.8.

3.5. Family Domestic Violence Leave

Glad Group manages family domestic violence leave (FDV leave) in accordance with the Fair Work Act.

Family domestic violence is defined as:

- violent, threatening or other abusive behaviour by an employee's close relative, a current or former intimate partner, or a member of their household that both:
  - seeks to coerce or control the employee
  - causes them harm or fear

Glad Group defines a close relative and a member of their household as:

- A spouse (or former spouse), de facto partner (or former de factor partner), child, parent, grandparent, grandchild, or sibling or;
- a child, parent, grandparent, grandchild or sibling of the employee's a spouse (or former spouse), de facto partner (or former de factor partner) or;
- a person related to the employee according to Aboriginal or Torres Strait Islander kinship rules

Employees can take this leave if they need to deal with the impact of family and domestic violence and it is impractical to deal with it outside their ordinary hours of work. This may include:

- making arrangements for their safety, or the safety of a close relative (including relocation)
- attending court hearings
- accessing police services
- attending counselling
- attending appointments with medical, financial or legal professionals.

Employees are entitled to 10 days of paid FDV leave within a 12-month period:

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- FDV leave is available in full immediately upon commencing employment with Glad Group
- the FDV leave does not accumulate from year to year but renews each year at the yearly work anniversary (total days cannot exceed 10 days)

Request for Family Domestic Leave to Be Taken

When employees request FDV leave, the leave must be approved by Glad Group. For all absences taken an employee may be required by Glad Group to provide documentary evidence satisfactory to Glad Group, to substantiate the reason for the leave taken. The requirement to provide documentation is at the discretion of the employees' manager and People & Culture and will be made on a case by case basis. Evidence can include but is not limited to:

- medical certificates
- documents issued by the police
- documents issued by a court
- family violence support service documents
- statutory declarations

FDV Leave Entry and Approval Process

Glad Group must ensure as far as reasonably practicable that the privacy of its employees that are affected by family and domestic violence is protected and confidentiality is always maintained.

The process to request and process FDV leave is:

- employees must notify their manager as per agreement between the manager and the employee prior to the absence or as soon as reasonably practicable after the leave has started
- where the manager is unavailable or the employee prefers not to disclose the FDV matter to their manager, the employee must notify People & Culture either via phone on 1300 283 233 or email gladacademy@gladgroup.com.au
- if the manager receives the request for FDV leave, the leave must be recorded in the time and attendance system as unpaid sick leave
- the manager must email the leave request details to People & Culture for the applicable shifts/hours to be approved and processed. Any requested documentation must also be provided
- the manager must not approve (either verbally or in writing to the employee) any FDV leave requests until People & Culture has confirmed that sufficient leave days are available and that the request is approved
- People & Culture will keep track of number of days taken for each employee to ensure that the leave days do not exceed 10 days in the relevant 12-month period

Payment of Family Domestic Violence Leave

Full Time and Part Time employees will be paid FDV leave at their full rate of pay for the hours they would have worked if they weren't on leave. Casual employees will be paid at their full rate of pay for the hours they were rostered to work in the period they took leave.

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Cashing out of Family Domestic Violence Leave

FDV leave cannot be cashed out.

Confidentiality

Glad Group must take reasonably practicable steps to keep all information about an employee's situation confidential when they receive it as part of an application for FDV leave. This includes information about the employee taking family and domestic violence leave, including leave records as well as any evidence provided by the employee. FDV leave will not appear on employees' payslips. No information or documentation about an employee's family domestic violence matter may be stored on client sites but must be emailed to People & Culture for safe electronic storage.

Glad Group is not prevented from disclosing information if it is:

- by employee's consent
- required by law
- necessary to protect the life, health or safety of the employee or another person.

3.6. Community Service Leave

Glad Group manages community service leave in accordance with the applicable state legislation and the Fair Work Act.

Employees who engage in an eligible community service activity are entitled to be absent from employment in certain circumstances. An eligible community service activity includes jury service.

An employee engages in a voluntary emergency management activity only if they:

- engage in an activity that involves dealing with an emergency or natural disaster and;
- engage in the activity on a voluntary basis and;
- were requested to engage in an activity and;
- are a member of, or have a member-like association with a recognised emergency management body such as:
    - State Emergency Services (SES)
    - Country Fire Authority (CFA)
    - RSPCA (in respect of animal rescue)

Request for Community Service Leave to Be Taken

Employees must notify their manager directly by telephone call, in person or as per agreement between the employee and the manager prior to the absence or as soon as reasonably practicable that they will be absent. In cases where the manager is unavailable, the employee must notify another appropriate person as agreed upon. The community service leave must be recorded in the time and attendance system as per section 3.8.

For all absences taken as community service leave, employees must provide Glad Group with the expected period of absence and may be required by Glad Group to provide documentary evidence satisfactory to Glad Group, to substantiate the reason for the leave taken. The requirement to provide documentation is at the discretion of the employees' manager and made on a case by case basis.

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Payment of Community Service Leave

Community service leave is unpaid (unless applicable state based legislation stipulates otherwise) except for jury duty.

Full Time and Part Time employees are entitled to paid jury duty in form of make up pay for the first 10 days they are absent from work only if the employee can show:

- they have taken all necessary steps to obtain jury duty pay
- the total amount of jury duty pay that has been paid or will be payable to the employee for the period.

If the employee is unable to provide this evidence, they are not entitled to make-up pay.

If an applicable state based legislation provides more beneficial entitlements than the Fair Work Act, these will apply instead. For example, if a state or territory law provides casual employees with pay for jury duty, this would apply.

Cashing out of Community Service Leave

Community service leave cannot be cashed out.

3.7. Recording Requests for Leave

Employees must record all leave requests in the time and attendance system prior to taking the leave or being absent from work. Employees are not able to record leave requests once the leave period has commenced and so those late leave requests must be recorded by the manager. If any other circumstance prevents an employee from being able to record their leave, the leave must be recorded by the manager.

Managers must review all leave requests for their employees and the requests must be either approved or rejected. The decision to accept or reject the leave must be made prior to the end of the pay period where the leave is occurring. Failure to make a decision on a leave request within this timeframe may result in incorrect or late wages paid to the employee.

When a leave request has been rejected, the manager must notify the employee of the decision outlining the reason for the rejection.

If a paid leave type request has been rejected by the manager, those hours must be replaced in the time and attendance system with the appropriate type of unpaid leave (if the leave has already been recorded).

3.8. Failure to Return to Work/Unexplained Absences

It is the employee's responsibility to inform their manager if they for any reason cannot return on the expected return date. A new leave request must be made for all extensions of leave, outlining the reasons for the extension request. Failure to return to the workplace following a period of leave without notifying Glad Group, may be considered abandonment of employment and may lead disciplinary action including termination of employment.

- failure to comply with requirements for reporting absences may lead to disciplinary action including termination of employment
- employees who fail to attend work for 3 days or more days without notification or explanation may be regarded as having resigned from their employment with effect from the last date of attendance at work, or last authorised absence, whichever occurred last

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- where attempts have been made to contact the absent employee are unsuccessful, the employee will be informed that they are considered to have abandoned their employment and their employment will terminate

3.9. LOG OF CHANGES

DATE	AMENDMENTS	AUTHORISED BY	REVISION
November 2014	Initial Policy	Nick Iloski	1
November 2016	Revised Policy	Nick Iloski	2
March 2022	Revised Policy	Christopher Errington	3
February 2023	General updates and inclusion of FDV leave	Ann Shanahan	4
July 2023	Unpaid Parental Leave Amendments	Ann Shanahan	5
December 2023	Statutory Declaration inclusion	Ann Shanahan	6
September 2024	Updates: Personal/Careers Leave, Family Domestic Violence Leave Additions: Failure to return to work/Unexplained Absences Removal: Parental Leave (now standalone policy)	Ann Shanahan	7

4.0. RELATED POLICIES AND PROCEDURES

- Cultural Leave Policy
- Parental Leave Policy
- Glad Group of Conduct

5.0. CONTACT FOR QUESTIONS

Please contact People & Culture if there are any questions regarding this policy.

Authorised by:



Head of People & Culture

Kiri Chase

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