



Long Service Leave Policy July 2023

POLICY STATEMENT:

Helen & Joey Estate and Re'em Yarra Valley is pleased and proud to have team members stay working with us for long periods of time, and as such, encourages the use of earned Long Service Leave, so a team member may take a significant period of paid time off work for relaxation & rejuvenation purposes. Paid Long Service Leave is a legislative requirement under Australian Law. Long Service Leave is regulated by each individual state government and the state in which a team member works is the Long Service Leave legislation that applies.

PROCEDURES:

Eligibility & Accrual

- a. All full-time and part-time team members are eligible to accrue paid Long Service Leave in line with current Long Service Leave legislation.
- b. A team member may take Long Service Leave after the completion of 7 years of continuous service. Part time team members can access Long Service Leave on a pro-rata basis.
- c. Long Service Leave will only be accrued for continuous periods of service.
 - i. A casual team member is considered to have been continuously employed.
 - ii. Up to 52 weeks of unpaid parental leave is included when calculating a team member's continuous employment, and unpaid Parental Leave in excess of 52 weeks does not break continuity of employment.
 - iii. If a team member is re-employed within 12 weeks of termination due to dismissal or resignation, expiry of a specified term contract or completion of their apprenticeship, their employment is considered to be continuous.
 - iv. If a team member's ordinary hours of employment fluctuate in the 12 months before they take Long Service Leave the hours, they will be paid determined by the greater of the average hours they have worked over the past 12 months or the past 5 years.



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Use of Long Service Leave

- a. The actual date the leave commences will be agreed between Helen & Joey Estate and Re'em Yarra Valley and the team member. Team members will submit a leave application to the Managing Director at least three (3) months in advance. Applications are not considered approved without approval from the Helen & Joey Estate and Re'em Yarra Valley Managing Director.
- b. The objective of Long Service Leave is to encourage team members to take a break from work after a significant period of service. In order to facilitate this, Long Service Leave may be taken one day at a time or for longer periods of time by mutual agreement.
- c. A team member can request a deferral of their Long Service Leave. The rate of pay when the team member then takes the Long Service Leave will be the rate agreed in writing between Helen & Joey Estate and Re'em Yarra Valley and the team member. The rate will not be less than the team member's ordinary rate of pay at the time the leave was due.
- d. Helen & Joey Estate and Re'em Yarra Valley may direct a team member to take their Long Service Leave if the team member has not submitted a request for their Long Service Leave. In this instance, Helen & Joey Estate and Re'em Yarra Valley will provide a team member with a minimum of 3 months' notice of the requirement to take part or all of their Long Service Leave.
- e. A team member and Helen & Joey Estate and Re'em Yarra Valley may make an agreement which allows the team member to take a period of leave at half pay. For example, a team member with 13 weeks accrued leave could take a 26-week break at half pay. Taking half the leave at double pay is not permitted.
- f. Payments in lieu of Long Service Leave are not permitted in Victoria unless the team member is governed by an enterprise agreement allowing this arrangement which was created prior to the introduction of the 2018 Long Service Act.
- g. Should a public holiday fall during a period of Long Service Leave, it will be paid as a public holiday. Long Service Leave will not be used for the public holiday.
- h. Where a team member suffers an unexpected illness or injury while on Long Service Leave which prevents them from enjoying their recreation the period of illness or injury may be treated as Personal Leave (sick leave). This will only occur in situations where:
 - The team member has attended a doctor and obtained a certificate for the period of illness or injury; **and**
 - The illness or injury required hospitalisation; or
 - The duration of the certified illness or injury meets or exceeds five days (including weekends)



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In these situations, and where the Managing Director gives approval, an adjustment will be made to re-credit the time back on the Long Service Leave accrual and treat the period of illness as sick leave.

- i. Team members may not engage in other paid employment during any period of Long Service Leave. This is a breach of the Long Service Leave Act.
- j. Team members will receive their normal weekly payments during the period of Long Service Leave, unless there is a special request made to be paid in advance.