

# ANNUAL LEAVE PROCEDURE

## SCOPE

This procedure applies to all fixed-term and continuing staff of the University herein collectively referred to as 'you' for the purpose of this procedure, unless otherwise stated.

For the purpose of this procedure, references to 'the University' mean Monash University Australia.

## PROCEDURE STATEMENT

Eligible staff of the University ('us', 'our' or 'we') accrue annual leave entitlements in accordance with the relevant enterprise agreement.

This procedure outlines annual leave entitlements, the management of the accrual and taking of leave, including excess annual leave.

### 1. Annual leave entitlements

- 1.1 Annual leave entitlements (except for staff identified at clause 5(a) or 5(c) of the Monash University Enterprise Agreement (Academic and Professional Staff) 2019) are outlined in the relevant enterprise agreement and linked in Section 9 of this procedure.
- 1.2 In certain circumstances, shift workers may accrue additional annual leave. Refer to the relevant Enterprise Agreement for further information.
- 1.3 Where you are employed part-time, you will receive annual leave entitlements on a pro-rata basis.

### 2. Annual leave balance

- 2.1 You can view your annual leave balance on your payslip or through ESS and project leave for up to four months into the future through [ESS](#) to assist with planning annual leave.
- 2.2 If you are employed under the [Monash University Enterprise Agreement \(Academic and Professional Staff\) 2019](#) (including staff members on a Performance-Based Contract (PBC)), and your annual leave balance reaches 30 days (pro-rata for part-time staff) or 36.75 days for Engineering Services Officers, any accrual beyond this limit will constitute Excess Annual Leave and will be managed in accordance with section 6 of this procedure.
- 2.3 If you are employed under the [Monash University Enterprise Agreement \(Trades and Services Staff – Catering and Retail, Cleaning and Caretaking, and Miscellaneous Services Staff\) 2005](#), refer to Schedule 5 – Application of Leave: Section 1 – Application of Annual Leave for details on excess annual leave management.
- 2.4 If you are employed under the [Monash University Enterprise Agreement \(Trades and Services Staff – Building and Metal Trades Staff\) 2009](#), refer to Schedule 6 – Application of Leave: Section 1 – Application of Annual Leave and Annual Leave Loading for details on excess annual leave management.

### 3. Applying for annual leave

- 3.1 You are expected to take your full entitlement of 20 days annual leave (pro-rata entitlement for part-time staff) in the year in which it accrues.
- 3.2 You should discuss your proposed annual leave with your supervisor. Your supervisor will consider the operational implications of you being absent from the University during this time. In circumstances where leave is expected to have an unreasonable impact, the annual leave request may be declined.
- 3.3 Once the leave dates are agreed with your supervisor, you should then apply for annual leave online through [ESS](#). Where ESS is not available, you should complete the [Application for Leave and Special Leave](#) form.
  - 3.3.1 All leave approvals are subject to Monash HR verifying that you have an entitlement to the leave.
- 3.4 You can apply to amend or cancel annual leave via [ESS](#) as agreed with your supervisor.

## Part-time staff

- 3.5 If you are employed on a part time fraction, you must apply for annual leave on the days listed in your [work schedule](#). If a work schedule is not in place or has changed, you should complete an updated [Work Schedule and Change of Fraction](#) form, before applying for leave.
- 3.6 Your leave will be deducted in accordance with your employment fraction as at the start of the leave period.

## 4. Annual leave loading

- 4.1 If you are an academic, professional or trades and services fixed-term or continuing staff member (excluding staff on a Performance-Based Contract (PBC)), you will be eligible for annual leave loading in accordance with the relevant enterprise agreement.
- 4.2 Other than staff employed under the Monash University Enterprise Agreement (Trades and Services Staff – Catering and Retail, Cleaning and Caretaking, and Miscellaneous Services Staff) 2005, the amount payable is annually is 17.5 per cent of the salary for four weeks' annual leave (or pro rata for each month of completed service less than a year), in the pay period in which 15 December occurs.
- 4.3 You may elect to exchange your annual leave loading for an extra 3.5 days of annual leave in accordance with the relevant Enterprise Agreement.
- 4.4 Applications are open in January each year. You may apply using the [Application for exchange of annual leave loading for extra leave form \[online\]](#).

## 5. Excess Annual Leave (EAL)

- 5.1 You may be subject to EAL management if you:
- are employed under the [Monash University Enterprise Agreement \(Academic and Professional Staff\) 2019](#) (including staff members on a Performance-Based Contract (PBC)); and
  - have reached or exceeded the maximum permissible limit of 30 days (pro rata thereof for part-time staff) or 36.75 days for Engineering Services Officers before the start of the Christmas/New Year closedown period.
- 5.2 If paragraph 6.2 above applies, Monash HR will notify you and advise you that:
- your annual leave balance has reached or exceeds the maximum permissible limit;
  - all annual leave accrued in excess of the maximum permissible limit as at 31 December constitutes EAL; and
  - if you have not submitted an annual leave application to the University by 7 January in the following year to eliminate your EAL by no later than the following 30 June, you will be liable to be rostered and deemed to be on annual leave from your first working day on or after 7 January of the following year until your annual leave balance is reduced to 20 days (pro rata thereof for part-time staff) or 25 days for Engineering Services Officers.
- 5.3 In addition, Monash HR will advise your supervisor by email, that you have reached EAL.
- 5.4 Your supervisor will meet with you to discuss your EAL and prepare an excess leave management plan with you. In approving the annual leave, your supervisor should consider the work area's operational requirements and ensure that the absence will not have an unreasonable impact on the operations of the work unit.
- 5.5 Once agreed with your supervisor, you should then apply for annual leave online through [ESS](#) as outlined in Section 3 (unless ESS is not available – refer to clause 3.3 above).
- 5.6 Normally, annual leave to eliminate EAL must be taken by 30 June of the following year. In exceptional circumstances, to eliminate EAL, applications for annual leave to be taken after 30 June of the following year, may be approved.

### Rostered and deemed annual leave

- 5.7 Where you have not applied by 7 January of the following year to eliminate your EAL by the following 30 June, you will be rostered and deemed to be on annual leave. You will be unavailable to work until the end of your rostered and deemed annual leave.

## 6. Apply to cash out annual leave

### Eligibility

- 6.1 To be eligible to cash out annual leave, you must be a fixed-term or continuing staff member employed under the Monash University Enterprise Agreement (Academic and Professional Staff) 2019 (including staff members on Performance-Based Contracts (PBCs) but excluding staff identified at clause 5(a)-(c) of that Enterprise Agreement) and:
- not have previously had an application to cash out annual leave granted, other than under clause 40.5(e)(ii) of the Enterprise Agreement; or
  - you will have excess annual leave (EAL) as at 31 December as a result of an employment fraction reduction, subsequent to 30 November in the same year and you make application to cash out by 7 January in the following year.

### Application process

- 6.2 Whilst you are encouraged to take annual leave in the year in which it accrues to support your health and wellbeing, applications to cash out annual leave may be approved:
- for the genuine management of excessive annual leave balances; or
  - in extenuating circumstances, such as financial hardship.
- 6.3 To apply to cash out your annual leave, email your request to Monash HR at [hr@monash.edu](mailto:hr@monash.edu). Detail the reasons for your request in your email.
- 6.4 Any cashed out annual leave is non-superannuable and does not count as service.
- 6.5 You are encouraged to seek financial advice before making an application to cash out annual leave.

### Consideration of applications

- 6.6 Any application to cash out annual leave must be approved by the Chief Human Resources Officer. For staff on performance-based contracts, applications must also be approved by the Chief Operating Officer and Senior Vice-President.
- 6.7 Applications will not be approved where:
- less than a week's annual leave (or equivalent thereof for part-time staff) is to be cashed out;
  - your annual leave balance will be reduced to less than four weeks (or equivalent thereof for part-time staff) by the cash out of annual leave; and/or
  - the cash out is for past rostered and deemed annual leave, (in accordance with clause 6.8 above).
- 6.8 Monash HR will notify you of the outcome of your application.
- 6.9 If approved, Monash HR will provide you with an Annual Leave Cash-Out Agreement (the "Agreement") to complete and submit.
- 6.10 Following submission, Monash HR will process the annual leave cash out in accordance with the Agreement and provide you with a copy of the executed Agreement.

## 7. Payment of annual leave on resignation and termination

- 7.1 If you have qualified for annual leave in accordance with the relevant Enterprise Agreement and your employment with the University ceases, you will be entitled to payment in lieu of any outstanding annual leave entitlement.
- 7.2 If you are an academic or professional staff member and your employment with us is terminated and you owe an amount to us arising from your employment, that amount owing will be set-off against and deducted from any amounts payable to you in lieu of annual leave in accordance with [clause 26.4](#) of the Monash University Enterprise Agreement (Academic and Professional Staff) 2019.
- 7.3 For further information on the payment of accrued annual leave entitlements on resignation from the University, refer to the [Leaving the University Procedure](#).

## 8. Relevant enterprise agreement clauses

### Academic and professional staff

Monash University Enterprise Agreement (Academic and Professional Staff) 2019

- [Clause 5 – Application and Parties Bound](#)
- [Clause 15 - Performance-Based Contracts \(PBCs\)](#)
- [Clause 16 - Mode of Employment](#)
- [Clause 17 – Seasonal Employment](#)
- [Clause 18 – Annualised Hours Employment](#)
- [Clause 19 - Periodic Academic Employment](#)
- [Clause 33 – Voluntary Reduced Working Year](#)
- [Clause 34 – Pre-retirement](#)
- [Clause 36 – Individual Flexibility Arrangements](#)
- [Clause 40 - Annual Leave](#)
- [Clause 41 – Sick and Carer’s Leave](#)
- [Clause 44 – Other Leave](#)
- [Clause 45 – University Holidays](#)
- [Clause 46 – Christmas/New Year Closedown Arrangements](#)
- [Clause 50 – Fitness for Work](#)
- [Clause 51 – Family Violence](#)
- [Clause 60 – Misconduct and Serious Misconduct](#)
- [Clause 83 – Higher Duties Allowance](#)
- [Clause 88 – Clinical Loadings](#)
- [Schedule 4 - Part-Year, Seasonal and Annualised Hours Terms](#)
- [Clause 28 - Annual Leave Loading](#)
- [Clause 35 - Exchange of Annual Leave Loading for Extra Leave](#)
- [Clause 40.2 - Annual Leave](#)
- [Clause 80 – Shift Work](#)
- [Clause 45.5 - University Holidays](#)

### Trades and services staff

Monash University Enterprise Agreement (Trades and Services Staff - Building and Metal Trades Staff) 2009

- [Clause 17 – Casual Employment](#)
- [Clause 26 – Higher Duties](#)
- [Clause 50 – Leave Entitlements](#)
- [Clause 51 – Holidays and Christmas/New Year Closedown Arrangements](#)
- [Clause 53 – Voluntary Reduced Working Year](#)
- [Schedule 3 - Leave Entitlements, section \(a\) -: Annual Leave](#)
- [Schedule 6 - Application of Leave: section 1- Application of Annual Leave and Annual Leave Loading; section 3 – Application of Personal \(Formerly Sick\) Leave; and section 4 – Application of Other Leave](#)
- [Schedule 6 – Application of Leave, section 1 - Application of Annual Leave and Annual Leave Loading](#)
- [Clause 50.2 - Leave Entitlements](#)

Monash University Enterprise Agreement (Trades and Services Staff - Catering and Retail, Cleaning and Caretaking, and Miscellaneous Services Staff) 2005

- [Clause 15 - Part-time Employment](#)
- [Clause 17 – Casual Employment](#)
- [Clause 19 – Higher Duties](#)
- [Clause 41 – Leave Entitlements](#)
- [Clause 42 – Holidays and Christmas/New Year Closedown Arrangements](#)
- [Clause 44 – Voluntary Reduced Working Year](#)
- [Clause 55 – Rostered Days Off](#)
- [Clause 65 – Hours of Work](#)
- [Clause 73 – Hours of Work for Control Operators and Security Patrol Staff \(Excluding Casual Staff\)](#)
- [Clause 74 – Hours of Work for Miscellaneous Services Staff Other Than Control Room Operators and Security Patrol Staff](#)
- [Clause 62 - Leave Entitlements of Seasonal Staff](#)
- [Schedule 3 - Leave Entitlements: section \(a\) Annual Leave](#)
- [Schedule 5 - Application of Leave: section 1 - Application of Annual Leave; section 4 – Sick Leave](#)
- [Schedule 5 – Application of Leave: section 2 - Annual Leave Loading](#)
- [Schedule 3 – Leave Entitlements: section \(a\)](#)
- [Clause 41.2 - Leave Entitlements](#)

## 9. Breach of procedure

- 9.1 The University treats any breach of its policies, procedures and schedules seriously; we encourage reporting of concerns about non-compliance, and manage compliance in accordance with the applicable [Enterprise Agreement](#), relevant instrument of appointment and/or applicable contract terms. A failure to comply with University procedures may result in action by the University. Such action may include disciplinary and other action up to and including potential termination of employment for employees, or the cessation of engagements with the University for other persons.

## DEFINITIONS

ESS	An online Employee Self Service system which provides staff with easy and private access to personal and current employment information held by the University.
Excess annual leave	Annual leave which is accrued beyond the maximum permissible limit of 30 days (pro rata thereof for part-time staff) or 36.75 days for Engineering Services Officers.
Performance-Based Contracts	Contracts of employment entered into pursuant to <a href="#">clause 15</a> of the Monash University Enterprise Agreement (Academic and Professional Staff) 2019.
Enterprise Agreement	The Enterprise Agreement means the <a href="#">Monash University Enterprise Agreement (Academic and Professional Staff) 2019</a> or the <a href="#">Monash University Enterprise Agreement (Trades and Services Staff - Building and Metal Trades Staff) 2009</a> or the <a href="#">Monash University Enterprise Agreement (Trades and Services Staff - Catering and Retail, Cleaning and Caretaking, and Miscellaneous Services Staff) 2005</a> as applicable to the staff member.
Staff	For the purposes of this procedure, means a person employed by the University on a continuing or fixed-term basis.
Supervisor	The person who is responsible for the day-to-day supervision of the staff member.

## GOVERNANCE

Parent policy	<a href="#">Leave and wellbeing</a>
Supporting procedures	N/A
Supporting schedules	N/A
Associated procedures	<ul style="list-style-type: none"> <li>• <a href="#">Leaving the University</a></li> <li>• <a href="#">Types of Leave - All Leave</a></li> </ul> <p><b>Procedure forms</b></p> <ul style="list-style-type: none"> <li>• <a href="#">ESS</a> or <a href="#">Application for Leave and Special Leave [Online]</a> form</li> <li>• <a href="#">Application for exchange of annual leave loading for extra leave form</a></li> </ul>
Related legislation	<a href="#">Fair Work Act 2009</a>
Category	Operational
Approval	Chief Operating Officer – 26 November 2021
Endorsement	Chief Human Resources Officer – 22 November 2021
Procedure owner	Director, Workplace Relations
Date effective	27 November 2021
Review date	27 November 2024
Version	10.0
Content enquiries	<a href="#">ask.monash</a> or phone Monash HR on (03) 990 20400