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## **SICK LEAVE POLICY**

**SWA Policy No:** 01  
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### **Introduction**

South West Arts Inc is committed to maintaining the well being of all employees.

This document applies to permanent full-time and part-time employees. Casual and volunteer workers are not entitled to paid sick leave.

### **Purpose**

This policy has been designed to outline the entitlements to sick leave for permanent full time and part time employees, as well as the requirements for notification and application for such leave.

### **Policy**

All employees will be provided with paid leave in the event of illness or injury, subject to conditions specified in this policy.

An employee's sick leave entitlement will be in accordance with the terms and conditions of the individual's contract of employment.

All employees are required to prove to the satisfaction of the Organisation that they are unable, on account of illness or injury, to attend for duty on the day or days for which sick leave is claimed. The employee's Executive Officer must be notified on the first day of the absence.

Sick leave may be taken as either full days or part days.

Employees are not entitled to sick leave for any period of time in respect of which they are entitled to workers' compensation.

Sick leave will not be paid to employees upon termination of employment.

Where an employee may be absent from work due to serious illness for a prolonged period of time, arrangements may be made for additional sick leave.

## **Responsibilities**

It is the responsibility of the **Executive Officer** to ensure that:

- employees are familiar with their entitlements and obligations in accordance with this policy;
- applications for sick leave by employees are accurately completed and provide the required documentation.

It is the responsibility of all **Employees** to:

- notify the Executive Officer of any absences in accordance with this policy;
- submit an application for leave and provide the necessary documentation as required by this policy for all absences.

It is the responsibility of the **Board** to ensure that:

- appropriate policies and procedures are implemented in respect to provision of paid sick leave.
- applications for sick leave are processed accurately and efficiently.

## **Procedure**

Employees must advise the Executive Officer of any absence prior to their rostered or normal commencement time. Exceptions to this requirement may be accepted at the discretion of the Executive Officer in exceptional circumstances.

Failure to meet the notification requirements as specified above may result in disciplinary action by the Executive Officer, or may eventually result in proceedings relating to abandonment of employment.

Notifications of absences are to be made directly to the Executive Officer.

Where the Executive Officer is not contactable at the time of notification, a message is to be left with another staff member, who is then responsible for notifying the Executive Officer as soon as possible.

In circumstances where neither the Executive Officer nor an alternative staff member is available at the time of notification, a message may be left with a Board member.

In all cases of notification the employee is to specify the reason for, and the expected duration of the absence.

Payment for sick leave is subject to the provision of a valid certificate in the following circumstances:

- absences in excess of one day, or
- absences in excess of four single days per anniversary year, or
- absences of one day or more either side of a public holiday, weekend or normal rostered day(s) off, or

- as requested by the Executive Officer.

A valid medical certificate is deemed to be a certificate signed by a registered medical practitioner. Medical certificates are to be signed, dated, state the duration of the absence, and state the reason for the absence. Certificates that have been post-dated will not be accepted.

In assessing whether additional sick leave should be provided, the Executive Officer should consider the likely length of time that the employee will be off work, the possibility of early retirement or total and permanent disablement, length of service, attendance record and job performance.

Employees are to ensure that their application for leave is accompanied by any relevant medical certificates prior to submitting the form to the Executive Officer for approval.

Upon approval of an application for sick leave, the Executive Officer is to forward the medical certificates to the Finance and Administration Officer for processing.

Where the Executive Officer is unsure as to the validity of an absence or associated documentation, they should contact the Board for advice.

## LEGISLATIVE SICK LEAVE MINIMUM ENTITLEMENTS

Jurisdiction	Entitlements
<b>NSW</b>	The <a href="#">Industrial Relations Act 1996 (NSW)</a> covers award employees and provides for at least one week with accumulation of unused sick leave for at least three years. No minimum statutory entitlement for non-award employees, conditions are subject to negotiation by the parties. The 'standard' sick leave provision under NSW state awards is 5 days in the first year and 8 days thereafter eg. Clerical & Administrative Employees (State) Award. However, reference should be made to the relevant award to establish employee entitlement.
<b>Victoria</b>	The <a href="#">Workplace Relations Act 1996 (Cth)</a> provides eight days per year. For an award-covered employee refer to the relevant sick leave provision in the relevant Award. The Workplace Relations Act 1996 provides for unlimited accumulation; sick leave conditions also apply to non-award employees.
<b>Queensland</b>	The <a href="#">Industrial Relations Act 1999 (Qld)</a> provides 8 days per year; in the first year 1 day for each 6 weeks continuous service. For an award-covered employee refer to the relevant Award. The Industrial Relations Act 1999 (Qld) provides for unlimited accumulation unless the industrial instrument provides otherwise; sick leave provisions also apply to non-award employees.
<b>SA</b>	The <a href="#">Industrial &amp; Employee Relations Act 1994 (SA)</a> provides 10 days per year; noting that in the first year sick leave is accumulated at the rate of one day per each 5.2 weeks service. For an award-covered employee refer to the relevant Award. The Industrial & Employee Relations Act 1994 (SA) provides for unlimited accumulation sick leave conditions also apply to non-award employees.
<b>WA</b>	<a href="#">Minimum Conditions of Employment Act 1993 (WA)</a> provides 10 days per year. For an award-covered employee refer to the relevant Award. Minimum Conditions of Employment Act 1993 (WA) provides for non-accumulation of sick leave; sick leave conditions apply to awards, workplace agreements and certain contracts of employment.
<b>Tasmania</b>	Sick leave is an award or agreement matter. No legislative provision.
<b>ACT and NT</b>	<p>Federal award (or registered agreement) matter. For an award-covered employee refer to the relevant Award. No legislative minima. Non-award employees refer to private agreement or contract.</p> <p>The federal jurisdiction has relevance to award employees only in respect of sick leave. Sick leave is an award (not legislative) provision for employees covered by federal awards.</p> <p>Note that any registered enterprise agreement relates to a relevant award so 'award employees' includes employees covered by registered enterprise agreements.</p>

Part time employees accrue sick leave on a pro rata basis (based on hours per week worked).