

Leave Management

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Major changes/additions since the last version was approved are indicated by a vertical line in the left hand margin.

1 Introduction

1.1 Purpose

To manage leave, meeting institutional requirements and treating individual staff members fairly and consistently.

1.1 Scope and Application

This policy applies to all staff, with the proviso that it cannot override entitlements provided in a staff member's employment agreement.

1.2 Delegations

Refer to the People and Development Delegations Schedule, reference 8.

1.3 Definitions

HR Kiosk: Part of the Human Resources Information System (HRIS) software that allows for electronic booking and approval of leave.

Authorised Closedown: Any formal shut down of part or all of Ara operations/activities as authorised by the Chief Executive or their Delegate.

Related Legislation or Other Documentation

- Holidays Act 2003
- Juries Act 1981
- Volunteers Employment Protection Act 1973
- Ara Collective Employment Agreements (Infoweb)
- Individual Employment Agreements
- Code of Professional Practice

Related Ara Policies

- CPP203 Workload
- CPP214 People and Development Management
- CPP215 Four for Five

Good Practice Guidelines (Infoweb)

- Workload Guidelines

Notes

Leave management was included as part of the People and Development Management policy until 2009, when a separate policy was introduced.

Further information or assistance

Management and staff may seek further advice from:

- their immediate supervisor
- the designated HR Business Partner for their area
- People and Development Unit (P&D)
- People and Development Infoweb page.

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2 Principles

- 2.1 This policy is subject to provisions in legislation and employment agreements and cannot override either.
- 2.2 The timing of leave will involve balancing organisational and individual staff needs.
- 2.3 The required approval process and records will be applied across the Institute.
- 2.4 Annual Leave is important for rest and recovery and to maintain work/life balance and as such is required to be taken.
- 2.5 It is Ara policy not to buy back leave as is allowed for in the legislation, except where there are extenuating circumstances as determined by the employer and approved according to the Delegation Schedule.

3 Associated Procedures for Ara Corporate Policy on: Leave Management

Contents:	3.1	General
	3.2	Leave Types
	a	Annual Leave
	b	Sick Leave
	c	Bereavement/Tangihanga Leave
	d	Jury Service
	e	Carry-over of leave
	f	Leave and the Authorised Closedowns
	g	Other Types of Paid Leave
	h	Special Leave Without Pay

3.1 General

- a All leave, with the exception of that involving illness or for compassionate reasons, will be approved in advance. Notification of absence for illness or compassionate reasons can be by email or phone.
- b If a Manager is absent from work a delegated person will be responsible for receiving notifications of unplanned absences.
- c Managers will check entitlements and leave taken before approving leave.
- d Where there is concern regarding a staff member's absence the Manager will contact People and Development regarding the appropriate next steps. The steps will depend entirely on the situation.
- e Leave planners for annual and discretionary leave entitlements will be prepared by academic staff and submitted for approval to their Manager by 31 March each year. The Manager has the discretion to approve the planned leave in total or in part. Should the Manager not approve the leave plan in total, a meeting will be held with the staff member to discuss the issues and an alternative plan developed. Once the Manager approves the leave plan the employee will book the planned leave through HR Kiosk.
- f Managers of non-academic staff may also require staff to complete an annual leave plan.
- g Leave bookings for most types of leave are submitted to HR Kiosk by the staff member and approved by the Manager holding that authority, usually their line Manager. If the Manager has not completed the approval within a set number of days, it is automatically escalated to their Manager.

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- h Managers will ensure that staff know how to book their leave taking into account the variations within the terms of conditions of employment. P&D and Payroll staff members can assist with queries.
- i Managers can book leave through HR Kiosk on behalf of employees where a staff member is absent and was not able to book the leave in advance or the staff member has not booked leave that has been taken. Payroll staff also have this ability when authorised to do so by the staff member or the staff member's manager.
- j A staff member who is officially on leave cannot change that leave status by attending work or working off-site.

3.2 Leave Types

- a Annual Leave
 - i Tenured staff are entitled to annual leave in accordance with their employment agreement.
 - ii Fixed term staff may be entitled to annual leave, according to the written conditions of their employment.
 - iii Academic staff planning annual and discretionary leave entitlements will arrange this leave so that it does not occur at the same time as their timetabled teaching responsibilities.
 - iv A staff member who is on or about to take annual leave who
 - becomes sick or injured; or
 - has a partner or dependant who becomes sick or injured; or
 - suffers a bereavement in terms of the Bereavement section below;
 may apply to change the annual leave booking to sick or bereavement leave to which they have an entitlement, with the following conditions:
 - To change the leave to sick leave, they will provide a medical certificate.
 - To change the leave to bereavement leave, they will provide evidence to their Manager that criteria for bereavement leave are met.
 Any changes that occur during annual leave that change the nature of the leave will be negotiated with the relevant manager as soon as is possible.
 - v Managers can direct staff to take annual leave where the staff member has failed to take their entitlement to annual leave. The Holidays Act 2000 provides the entitlement after one year of service. Managers must consult with their HR Advisor before issuing any directive of this nature.
- b Sick Leave
 - i Tenured staff accrue an entitlement to sick leave in accordance with their employment agreement.
 - ii Fixed term staff may not have an entitlement to sick leave, however the minimum statutory entitlements will apply where appropriate. Staff and Managers should check the letter of employment for clarification or seek advice from their HR Business Partner.
- c Bereavement/Tangihanga Leave
 - i Entitlement to bereavement/tangihanga leave is spelt out in many employment agreements. Where it is not, statutory entitlements will apply. Evidence of the relationship of the employee to the deceased person may be required in either case.
 - ii Legislated bereavement/tangihanga leave

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- Three days on the death of the staff member's spouse (husband, wife, or de facto partner whether that partner is of the same or different gender), parent, child, brother or sister, grandparent, grandchild or spouse's parent.
 - One day on the death of any person if the employer accepts that the employee has suffered bereavement as a result of the death. The relevant factors are the closeness of the association between the employee and the deceased person, whether the employee has to take significant responsibility for all or any of the arrangements for the ceremonies relating to the death and any cultural responsibilities of the employee in relation to the death.
- iii Where possible, staff members will let their Manager know in advance that they may need to take bereavement/tangihanga leave. When bereavement occurs Managers will be sensitive to the staff member's priorities and needs. The Manager, at an appropriate time, will advise the staff member of their leave entitlement and the process for seeking additional leave (bereavement/tangihanga, annual, sick or leave without pay) if that becomes necessary. It is the Manager's responsibility to ensure that leave taken is recorded in due course on HR Kiosk.
- iv Additional bereavement/tangihanga leave may be considered where significant travel (at least two days) is required to attend the funeral/tangi and/or the employee has significant responsibilities for the funeral or tangi arrangements and the deceased person is not a relative for which a three-day bereavement/tangihanga leave entitlement applies. In exceptional circumstances bereavement/tangihanga leave may be provided beyond that specified in the staff member's employment agreement or by the legislation. A request for additional leave must include the reason/s the additional leave is sought. Approval to grant additional leave is in accordance with the People and Development Delegations Schedule.
- v When more leave is used than the bereavement/tangihanga leave entitlement and any approved additional leave, other accrued leave entitlements may be used. If a staff member does not have an accrued entitlement to sick or annual leave, then leave in advance or leave without pay may be granted by a manager or P&D staff member in accordance with the People and Development Delegations Schedule.
- vi Where an employee is on other paid leave and a bereavement occurs the employee will advise their Manager and will submit a leave application form amending the leave type on their return. The leave form will state the relationship between the employee and the deceased person. Evidence of the relationship may be required.
- d Carry Over of Leave
- Leave of any type may not be carried forward into the following year unless:
- i it is provided for by legislation that overrides an employment agreement;
 - ii it is provided for in the staff member's employment agreement; and/or,
 - iii it has been approved by the manager who holds the appropriate delegation.
- e Leave and the Authorised Closedowns
- Where a closedown period is authorised in accordance with the Holidays Act then staff are required to take annual leave. If the staff member has not accrued sufficient annual leave to cover the closedown period, then leave in advance will be granted. Should the staff member cease employment before accruing sufficient leave to offset the advance then the staff member's final pay will be reduced accordingly.
- f Jury Service
- i A staff member summoned for Jury Service will advise their Manager as soon as possible of the summons and the week in which they are required to attend the Court. The Manager should note which Court the summons is for, as the maximum a District Court trial will last is three weeks and the maximum for the High Court is three months, if the staff member were to be selected to be on a jury.

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- ii Ara must release the employee to attend jury service unless the staff member is excused from the service by the Court. Information provided with the summons explains the reasons that can be used to excuse a person from jury service.
- iii Ara supports its staff participating in jury service although appropriately delegated Managers can provide to staff a letter supporting their being excused.

g Other Types of Paid Leave

Any other type of paid leave provided for in an employment agreement, or by law, or by special policy made from time to time is managed in accordance with those contractual requirements and the People and Development Delegations Schedule. If the leave sought is not provided in the applicable employment agreement or precluded by law then it cannot be approved to be taken.

h Special Leave Without Pay

- i Leave without pay for any reason is subject to the delegated Manager determining the appropriateness of such leave on the basis of the following considerations:
 - the extent of disruption to the operation of the Institute
 - any demonstrable benefit to the Institute and/or
 - any relevant compassionate or family related circumstances.
- ii The Manager may require a written proposal from the staff member particularly when extended leave is being sought. The delegation at which such leave can be approved varies depending on the duration of leave sought.