



PILGRIM UNITING CHURCH

We are called by God to be a prophetic witness in the city of Adelaide so that new life and vitality will be generated in our city and its people. We celebrate in our unity and diversity, our shared beliefs and past experiences, and value worship, teaching, creativity and justice.

HR-06

LONG SERVICE LEAVE POLICY - EMPLOYEES

1. Introduction

Pilgrim Uniting Church (Pilgrim) is committed to:

- fostering a positive and productive workplace which is mutually beneficial for Pilgrim and our employees; and
- ensuring that employees are treated in accordance with relevant legislation, awards and best practice in human resources management.

2. Purpose

This policy outlines the long service leave arrangements for Pilgrim's full time and part time permanent, contract and casual employees.

3. Policy

3.1 Under the *South Australian Long service Leave Act 1987*, all full time and part time permanent, contract and casual employees who have completed 10 years of service are entitled to 13 weeks of long service leave. A further 1.3 weeks leave is granted for each completed year of service thereafter.

3.2 Part-time and casual workers accrue long service leave in the same way as full-time workers; however the payment for the leave is based on the weekly hours worked.

3.3 Employees who have completed 10 years continuous service with Pilgrim will be entitled to either take, or "cash out" the accrued entitlement to 13 weeks long service leave (or pro rata for part-time employees). On completion of subsequent years of continuous full-time service, an additional 1.3 weeks long service leave will also be allowed to be taken or "cashed out" for each completed year of service.

3.4 Unused long service leave entitlements will be paid out on termination of employment in accordance with the *Long Service Leave Act (SA) 1987*.

Authorisation

Church Council Chair:

Reviewed February 2020

Approved: March 2020

Next review date: March 2022

LONG SERVICE LEAVE PROCEDURES

1. Responsibilities

- 1.1 Managers are responsible for approving long service leave for employees reporting to them in a fair and consistent manner, taking into account the requirements of the *Long Service Leave Act (SA) 1987*, Pilgrim's operational requirements and the employee's needs.
- 1.2 Employees are responsible for applying for and taking long service leave in accordance with this Policy.
- 1.3 The Business Manager is responsible for ensuring that long service leave applications are appropriately documented, approved and processed through payroll.

2. Long Service Leave Entitlement

Under the South Australian *Long Service Leave Act (SA) 1987*, all full time and part time permanent, contract and casual employees who have completed 10 years of service are entitled to 13 weeks of long service leave. A further 1.3 weeks leave is granted for each completed year of service thereafter.

Pilgrim and the employee can negotiate the manner in which long service leave is taken, and this could include the deferral of leave or taking leave in separate periods.

When an employee who is entitled to long service leave resigns from employment with Pilgrim, or has their employment terminated, they are entitled to a payment in lieu of taking that leave.

Long Service Leave - Part-time and casual workers

Part-time and casual workers accrue long service leave in the same way as full-time workers; however the payment for a period of leave is based on the weekly hours worked.

3. Pro rata Long Service Leave

An employee who leaves Pilgrim or has their employment terminated after 7 years of service (but less than 10 years) is entitled to the monetary equivalent of 1.3 weeks leave for each completed year of service. This is referred to as pro rata long service leave.

An employee is not entitled to a pro rata payment if their employment is terminated on the grounds of serious and wilful misconduct, or if the employment is unlawfully terminated by the worker (e.g. failure to give the required amount of notice upon termination).

4. Payment of Long Service Leave

Generally long service leave is paid at the ordinary weekly wage the employee is entitled to immediately before going on leave, or at the time of employment termination.

If the employee's weekly hours changed during all or some of the three years immediately preceding a payment for long service leave, then their ordinary weekly wage is calculated by averaging the number of hours worked per week in that period of three years, and multiplying that result by the employee's hourly rate at the time of taking leave or employment termination.

Payment for long service leave must be made:

- in advance for the whole period of leave, or
- as wages would have been paid if the employee was at work, or
- in some other way agreed to by the employer and the employee, or
- immediately if it is a payment in lieu at the time of termination of employment.

5. "Cashing out" Long Service Leave Entitlements

The employee and Pilgrim can agree to "cash out" either the whole or part of an accrued long service leave entitlement. Any agreement to cash out long service leave must be recorded in writing and agreed to by both parties.

6. Continuous Service

Employees are only entitled to long service leave where their service is continuous. Any period of annual leave, long service leave, sick leave (whether paid or unpaid) and workers compensation will count as service and will not break continuity of service.

Unpaid parental leave and other unpaid leave granted by Pilgrim will not count as service nor will it break the continuity of service.

7. Taking Long Service Leave

7.1 Long service leave is to be taken at a time that is mutually convenient for Pilgrim and the employee. With the exception of special circumstances, the employee must give one month's notice of an intention to take accrued long service leave.

7.2 To meet Pilgrim's operational needs, wherever possible long service leave should be taken in periods of not less than 2 weeks.

7.3 Prior to taking accrued long service leave, Pilgrim must provide the employee with the "Second Schedule - Notice to Worker" form as stipulated in the *Long Service Leave Regulations 1988*. (See attached "Notice to Worker" form)

7.4 A copy of the "Second Schedule - Notice to Worker" form must be retained with the Employee's service records.

8. Replacement of Employees whilst on Long Service Leave

The decision to replace an employee whilst they are on Long Service Leave will be made by the Manager, based on the period of time they will be absent from work and the role that they undertake.

9. Related Policies

- HR-01 - Grievance Policy – Approved by Council July 2016
- HR-02 - TOIL and Time Off to Attend Personal Commitments Policy – Approved by Council August 2016
- HR-03 - Annual Leave Policy and Procedures Policy - Approved by Council August 2016
- HR-04 - Leave without Pay Policy - Approved by Council August 2016
- HR-05 - Personal (Sick and Carer's) Leave and Compassionate Leave Policy - Approved by Council August 2016
- HR-11 - Code of Conduct - Staff

Authorisation

Chair of Operations Committee:

Reviewed February 2020

Approved: March 2020



Next review date: March 2022

SECOND SCHEDULE
LONG SERVICE LEAVE ACT, 1987

Notice to Worker

To:

As at/...../..... you have an entitlement todays Long Service Leave.

..... days Long Service Leave will commence on/...../..... and finish on/...../.....

At the completion of that leave, the balance available to you will be days.

.....

Signature and Designation

Pilgrim Uniting Church

