

# Leave without Pay Policy (Schools)



Melbourne Archdiocese Catholic Schools Ltd (MACS) is a company limited by guarantee that has been established by the Archbishop of the Catholic Archdiocese of Melbourne to assume the governance and operation of MACS schools.

## Purpose

The purpose of this policy is to outline the entitlement to leave without pay (LWOP) for all staff employed by MACS who specifically work in a school environment.

## Scope

This policy applies to all employees working in a school environment, including:

- principal
- deputy principal and others in leadership roles
- all other teaching staff
- all other non-teaching staff.

The entitlement to LWOP for a secondary school principal employed by MACS is outlined in the Recommended Conditions of Employment for Secondary Principals.

The entitlement to LWOP for a MACS employee who is not covered by the Victorian Catholic Education Multi-Enterprise Agreement 2018 (VCMEA 2018) as varied or replaced from time to time will be as per their letter of appointment or, in the absence of such provision, the entitlement.

This policy applies to all primary and secondary school principals who work in a school which operates with the consent of the Catholic Archbishop of Melbourne and is owned, operated and governed by MACS.

## Entitlement to leave without pay

1. LWOP is defined as a period of unpaid leave which is authorised or consented to by MACS. MACS recognises that employees may wish to access a period of LWOP for a multitude of reasons including furthering education, family, travel, volunteering or the desire to take an extended break when other forms of leave are not available.
2. LWOP is provided for in clause 26.1 of the VCMEA 2018 which outlines that LWOP is granted at the discretion of MACS and is not an accruable leave entitlement.
3. LWOP does not break continuity of service, but is not to be taken into account in calculating the period of service for any purpose in the VCMEA where the period of LWOP is in excess of 15 days in a school year.
4. LWOP diminishes the entitlement an employee would otherwise have to school holidays, annual leave and leave loading under the VCMEA for periods of LWOP in excess of 15 days, in that school year, in direct proportion to the amount of LWOP taken.

## Procedure

1. An employee (except for a principal) who wishes to apply for a period of LWOP for less than one year is required to submit an application to their principal in writing and to provide a reasonable amount of notice having regard to the length of the proposed period of LWOP.

2. Where an employee is seeking a period of LWOP in excess of three months, the relevant principal must notify their regional general manager (RGM) of the request for its consideration.
3. An employee who wishes to apply for a period of LWOP for one year or more is required to submit an application to their principal in writing and to provide a minimum of one term's notice prior to the proposed commencement date. The relevant principal must notify their RGM of the request for consideration.
4. Prior to granting LWOP, the principal and/or the RGM will consider the educational and operational requirements of the school, which will include the timing of the leave, the length of the leave, the financial implications of the leave, the availability of replacement staff and the period of notice provided.
5. A principal who wishes to apply for a period of LWOP is required to submit an application to their RGM in writing and to provide a reasonable amount of notice having regard to the length of the proposed LWOP. The RGM will discuss the request with the relevant director at MACS.
6. Prior to granting LWOP to a principal, the RGM and relevant director will have regard to the timing of the leave in relation to the needs of the school, the availability of a replacement principal should one be required, the financial implications for the school and MACS, and the adequacy of the notice provided.

### Returning from leave without pay

1. An employee who wishes to resume duty prior to the expiration of the approved LWOP is required to communicate with their principal who will have regard to the educational and operational needs of the school prior to making a decision as to whether an employee can resume duty. It will be at the discretion of the principal and MACS whether the employee can resume duty prior to the completion of the approved period of LWOP.

The relevant RGM and director will consider a request from a principal. It will be at the discretion of the relevant RGM and director as to whether a principal can resume duty prior to the completion of the approved period of LWOP.

2. Prior to resuming duty from an extended period of LWOP (i.e. four months or more), an employee is required to comply with the provisions in clause 26.1 of the VCEMEA 2018 as varied or replaced from time to time.

<b>Responsible director</b>	Director, Catholic Mission, People and Culture
<b>Policy owner</b>	General Manager, Employee Relations
<b>Approval date</b>	July 2021
<b>Date of next review</b>	Two years

POLICY DATABASE INFORMATION	
<b>Related documents</b>	
<b>Superseded documents</b>	
<b>New policy</b>	

