

# LEAVE MANAGEMENT

(AMENDED 20.10.2011)

<b>Section</b>	Human Resources		
<b>Approval Date</b>	15.06.09	<b>Approved by</b>	Senior Management Team
<b>Next Review</b>	May 2012	<b>Responsibility</b>	Human Resources Team Leader
<b>Key Evaluation Question</b>	6	<b>ITPNZ Quality Standard</b>	3

## INTRODUCTION

This policy outlines procedures for

1. Annual holidays
2. Leave without pay
3. Sick leave

For other leave refer to your Employment Agreement or the Human Resources (HR) team for details.

## PURPOSE

The purpose of this policy is to ensure leave is taken in accordance with legislative and employment agreement requirements and recognises the need for a healthy working environment and a healthy work/life balance.

## SCOPE

This policy applies to all permanent and fixed term, full time and proportional staff that have leave entitlements.

The annual holiday and leave without pay sections of this policy do not apply to casual and fixed term employees who receive holiday pay at the end of each period of engagement.

## DEFINITIONS

<b>Actual</b>	Accrued annual leave plus entitlement of annual leave.
<b>Academic staff</b>	Teaching and non teaching staff, who are employed under academic employment agreements.
<b>Accumulated annual holiday</b>	Annual holiday entitlement due to an employee which has been carried forward beyond 12 months from the date of entitlement.

<b>Accrued annual holiday</b>	Annual holiday accumulated during the course of a leave year which becomes annual holiday entitlement on the annual holiday anniversary date.
<b>Allied staff</b>	All staff other than academic staff.
<b>Annual holiday</b>	Annual holiday as described in employment agreements.  Note: "Discretionary leave" and " Professional development " are not annual holidays.
<b>Anticipated leave</b>	Accrued annual leave taken in advance of entitlement.
<b>Senior Management Team</b>	Chief Executive and Directors and Group Managers
<b>Discretionary leave</b>	Leave provided for in the TEU CEA and academic individual agreements which can be used by that employee at their discretion subject to agreed parameters.
<b>HR Kiosk</b>	<b>NMIT's Online Leave and Pay Management Staff Portal</b>
<b>HRIS</b>	<b>Human Resources Information System</b>
<b>Leave year</b>	<b>Academic leave year</b> : 1 <sup>st</sup> February to 31 January  <b>Allied leave year</b> : from date of commencement of employment.
<b>Leave without Pay (LWOP)</b>	Leave without pay is leave requested by an employee and approved by the employer which is unpaid.
<b>Manager</b>	An employee's immediate manager
<b>Sick Leave</b>	Staff absences through illness or injury
<b>Statutory minimum</b>	Minimum entitlement to leave as provided for in the Holidays Act 2003.
<b>TEU CEA</b>	Tertiary Education Union Collective Employment Agreement

## RESPONSIBILITIES

### MANAGER

- Ensuring the opportunity to take annual holidays is available.
- Jointly developing a comprehensive "Leave Plan" with each employee and submitting it via HR Kiosk
- Ensuring, unless negotiated otherwise, the staff member's full annual holiday entitlement is taken in the year of entitlement.
- Processing requests for amendments to the leave plan.
- Ensuring any amendments are recorded on the leave plan and adjusted via HR Kiosk..
- Ensuring an academic staff member's leave plan is received by HR before 31 March each year.
- Ensuring an allied staff member's leave plan is completed via HR Kiosk before each period of leave is taken.
- Monitoring each employee's leave and ensuring compliance with legislation, employment agreements and policy.
- Ensuring sick leave is recorded accurately via HR Kiosk prior to the next pay period.
- Requesting medical certificates when required.
- Monitoring absences and ensuring any concerns regarding absences and the use of sick leave are investigated, and appropriate action taken in a timely manner.
- In considering applications for LWOP, taking into account the principles in this policy, operational requirements and the effects of approving LWOP on their units, NMIT and other staff.

### EMPLOYEE

- Jointly developing a "Leave Plan" with their manager and submitting it via HR Kiosk.
- Ensuring approved planned leave is recorded accurately, in a timely manner.
- Ensuring that planned leave is taken.
- Ensuring any amendments are negotiated with a manager, recorded on the leave plan and recorded in Kiosk BEFORE the period of amended leave.
- Informing their manager, prior to or as soon as possible if unable to do it prior, when they are unable to attend work because of illness or injury.

### HR

- Receiving and storing leave records, enabling easy retrieval via HR Kiosk
- Accurately paying employees for annual holidays and sick leave.
- Advising Managers monthly of the balance of each staff member's unused annual leave entitlement, and sick leave record.
- Provide exception reports to the Directorate as required.
- Ensure new employees are familiar with the recording systems for leave.
- Ensure the HRIS system is updated.

## ANNUAL HOLIDAY AND DISCRETIONARY LEAVE

### POLICY

Any entitlement to annual holidays greater than the statutory minimum will be specified in the applicable employment agreement.

### LEAVE YEAR

#### **ALLIED STAFF**

The leave year for Allied staff is based on the start date of their employment. The annual holidays anniversary date can be extended out following periods of unpaid leave greater than one week. The annual leave allocated during the current leave year becomes an entitlement on the employees leave anniversary date of the following year. With their Manager`s approval allied staff can take annual holidays in advance of entitlement.

#### **ACADEMIC STAFF**

The leave year for Academic Staff is from 1 February to 31 January, for annual holidays and discretionary leave. The annual holidays accrued during the current leave year are taken during the current leave year but not before the leave has accrued. Sick leave entitlements are based on the start date of employment.

### CARRY OVER OF ACCUMULATED ANNUAL HOLIDAYS.

#### **ALLIED STAFF**

Annual holidays are to be taken in the year of entitlement or as it is accrued. . If a leave plan has not been submitted and agreed, the employee may be directed to take annual leave entitlement, provided a minimum of 14 days notice is given.

#### **ACADEMIC STAFF**

Discretionary leave cannot be carried over to the next leave year.

A staff member may apply to carry over up to two weeks of accumulated annual holidays as long as the annual holidays taken during the year is no less than the minimum statutory entitlement of four weeks. Application to be made to the employee`s manager.

Accumulated annual holidays must be taken in the next leave year along with the next leave year`s full annual holiday entitlement.

### ACADEMIC STAFF

A Leave Plan is to be jointly prepared by the manager and each employee at the commencement of each annual leave year. The leave plan with the required approval is to be forwarded to HR before 31 March each year. Where a complete leave plan is not received, HR will issue a default leave plan. Annual holidays and discretionary leave for academic staff is not to be taken in term time without the written permission of the Director of Teaching and Learning.

### ALLIED STAFF

A leave plan is to be jointly prepared by the manager and each employee prior to each period of leave. The leave plan with the required approval is to be submitted via HR Kiosk prior to each period of leave taking place.

#### **AMENDMENTS (FOR BOTH ALLIED AND ACADEMIC STAFF)**

With the Manager's approval leave plans can be amended prior to the planned leave taking place. Any changes are to be forwarded to HR prior to the leave being taken. HR

#### **TO CARRY OVER ACCUMULATED ANNUAL HOLIDAYS**

- Employees wishing to carry over accumulated annual holidays must apply in writing with the reasons to their manager.
- Applications are to be made at least three months prior to the next annual holiday entitlement.
- Subject to a valid reason, the manager may approve the carry over of a maximum of two weeks accumulated leave provided that minimum has been taken.
- Approved applications are to be immediately forwarded to HR.
- Approval to carry over accumulated annual holidays is at the sole discretion of the employer. Any decisions made will be on a case by case basis.

#### **LEAVE RECORDING**

Annual holiday and discretionary leave records are held by HR.

## LEAVE WITHOUT PAY (LWOP)

### POLICY

LWOP may be approved where the reasons for the request are worthy of special consideration and of likely value to staff, their family, the Institute, or society.

Managers may approve LWOP of up to five working days.

Senior Management Team members may approve LWOP of up to twenty working days.

The Chief Executive may approve LWOP of more than twenty working days.

There is no automatic right to LWOP and each application will be considered on its merits.

Preference will be given to requests:

- where the activity is likely to benefit an individual's professional development
- with benefits to society (e.g. VSA)
- for national representation (e.g. in sport, art, or culture)
- which provide support for family and whanau.
- of mutual benefit to the applicant and NMIT - such as study leave

If LWOP is approved it will be for a set period and normally for a maximum of 12 months and for TEU members not exceeding 24 months. The period may only be extended while leave is in progress if an extenuating circumstance can be demonstrated to the CEO, and if NMIT can accommodate the request.

Where LWOP is granted in association with activity directed by NMIT or as part of planned activity by NMIT, such as international consultancy, the period of LWOP may exceed the twelve month limit.

### PROCEDURE

Applications are to be made at least three months prior to the commencement of the leave requested.

Applications for LWOP must be in writing to the manager and state the reasons for the request. Leave Plans for the relevant years should accompany the application identifying the total leave request for the year.

Only in exceptional circumstances will LWOP be approved in the first year of employment.

Staff members are required to use their current annual holiday entitlement and discretionary leave before commencement of LWOP.

The Manager, Senior Management Team member or Chief Executive will approve or decline an application for LWOP in writing to the applicant with a copy of all correspondence forwarded to HR prior to any leave being taken. The Human Resources Team will generate the response letter.

### POLICY

The availability of sick leave relies on mutual trust between the Employer and the Employees, and the belief that, within the terms and conditions of the employee's employment agreement:

- sick/injured staff have reasonable time to recover; and
- employees should have the opportunity to provide care for their spouse/partner or dependents who are sick or injured.

At the same time the Employer has limited resources to support staff in situations of long term absence or frequent intermittent absence caused by sickness or injury, and has a responsibility to consider the impact of these absences on students, other employees, and the Institute.

### SICK LEAVE WHILE ON HOLIDAY

The Holidays Act 2000 allows employees who are sick immediately preceding annual holidays, to take the time that they are sick during the annual holidays as sick leave. This applies only to annual holidays, not discretionary leave.

If an employee becomes ill while on annual holidays it is at the discretion of the employer whether this leave is taken as sick leave.

As a general rule NMIT will not grant the annual holidays as sick leave unless there are exceptional circumstances. Discretionary leave will not be substituted as sick leave in any circumstances. Any application for sick leave to be taken instead of annual holidays requires the approval of the Chief Executive.

### PROCEDURE

Staff who are unable to attend work because of illness or injury are to notify their reporting manager of their absence as soon as is practicable, and before the start of their expected start time. If an employee is incapacitated to such a degree that this is not possible, they may arrange for a family member or friend to call on their behalf.

Staff who are, or likely to be, absent on sick leave for longer than five days are required to provide a medical certificate as soon as is practically possible, stating the probable period of absence, and the reason for the absence.

The Employer may require sick or injured employees to return or remain at home on either sick leave, or if paid sick leave has been exhausted, on unpaid sick leave.

A sick employee whose sick leave has been exhausted has the option of using annual holidays, prior to going on to unpaid sick leave.

Sickness or accident arising out of, and in the course of, employment may be covered by the provisions of the Accident Compensation Act (1972).

## REFERENCES

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### INTERNAL

Collective Employment Agreements

Individual Employment Agreements

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### EXTERNAL

HR Holidays Act 2003

Accident Compensation Act (1972)