Leave Management

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1 Introduction

1.1 Purpose

The purpose of this policy is to manage leave by meeting institutional requirements and treating individual colleagues fairly and consistently**.**

1.2 Scope and Application

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

1.3 Delegations

Refer to CPP120 – Delegations Management and Associated Register

1.4 Definitions

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

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

Related Ara Procedures • CPP120a Delegations Management and Associated Register	**Related Ara Policies** • CPP120 Delegations • CPP120a Delegations Management and Associated Register • CPP211 Code of Professional Practice • APP803 Research and Knowledge Transfer • CPP309 Contracts Management
Related Legislation or Other Documentation • Holidays Act 2003 • Juries Act 1981 • Volunteers Employment Protection Act 1973 • Ara Collective Employment Agreements (Waituhi) • Individual Employment Agreements	**Good Practice Guidelines** • Workload Guidelines
References	
Notes	

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 colleagues' needs.

2.3 The required approval process and records will be applied across the Institute.

2.4 Annual leave is required to be taken because rest and recovery is needed to maintain work/life balance.

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 CPP120 – Delegations Management and Associated Register

3 Associated Procedures for Ara Corporate Policy on: Leave Management

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3.1 General

a All leave, with the exception of that involving illness or compassionate reasons, will be approved in advance. Notification of absence for illness or compassionate reasons can be made 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 colleague's absence, the manager will contact P&C 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 colleagues and submitted for approval to their manager by 31 March each year.

f The manager has the discretion to approve the planned leave in total or in part.

g Should the manager not approve the leave plan in total, a meeting will be held with the colleague to discuss the issues, and an alternative plan will be developed.

h Once the manager approves the leave plan the colleague will book the planned leave through HR Kiosk.

i Managers of non-academic colleagues may also require their team to complete an annual leave plan.

j Leave bookings for most types of leave are submitted to HR Kiosk by the colleague 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.

k Managers will ensure that colleagues know how to book their leave, considering the variations within the terms and conditions of employment. P&C and Payroll can assist with queries.

l Managers can book leave through HR Kiosk on behalf of employees where a colleague is absent and was not able to book the leave in advance or the colleague has not booked leave that has been taken. Payroll also has this ability when authorised to do so by the colleague or the colleague's manager.

m A colleague who is officially on leave cannot change that leave status by attending work or working off-site.

3.2 Annual Leave

a Tenured/permanent colleagues are entitled to annual leave in accordance with their employment agreement.

b Limited tenured/fixed term colleagues are entitled to annual leave, according to the written conditions of their employment.

c Academic colleagues 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.

d A colleague who is on or about to take annual leave who then becomes sick or injured, has a partner or dependant who becomes sick or injured, or suffers a bereavement may apply to change the annual leave booking to sick or bereavement leave to which they have an entitlement, with the following conditions –

i To change the leave to sick leave, they may be asked to provide a medical certificate.

ii To change the leave to bereavement leave, they may be asked to provide evidence to their manager that the criteria for bereavement leave are met.

e Any changes that occur during annual leave that change the nature of the leave will be negotiated with the relevant manager as soon as possible.

f Managers can direct colleagues to take their annual leave where the colleague has failed to take their entitlement in accordance with the Holidays Act 2003 and its amendments. Managers must consult with their P&C Business Partner before issuing any directive of this nature.

3.3 Sick Leave

a Tenured/permanent colleagues accrue an entitlement to sick leave in accordance with their employment agreement.

b Limited tenure/fixed term colleagues have an entitlement to sick leave however; the minimum statutory entitlements will apply where appropriate and in accordance with the Holiday Act 2003. Colleagues and managers should check the letter of employment for clarification or seek advice from their P&C Business Partner.

3.4 Bereavement/Tangihanga Leave

a Entitlement to bereavement/tangihanga leave is listed 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.

b Employees are entitled to three days on the death of the colleague'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, spouse's parent, miscarriage, and stillbirth.

c Employees are entitled to three days one day on the death of any person if the employer accepts that the colleague has suffered bereavement as a result of the death. The relevant factors are the closeness of the association between the colleague and the deceased person, whether the colleague 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 colleague in relation to the death.

d Where possible, colleagues 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 colleague's priorities and needs. The manager, at an appropriate time, will advise the colleague 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.

e Additional bereavement/tangihanga leave may be considered where significant travel (at least two days) is required to attend the funeral/tangi and/or the colleague 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.

f In exceptional circumstances, bereavement/tangihanga leave may be provided beyond that specified in the colleague's employment agreement or by the legislation. A request for additional leave must include the reason/s for which the additional leave is sought. Approval to grant additional leave is in accordance with CPP120a – Delegations Management and Associated Register.

g 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 colleague 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&C in accordance with CPP120a – Delegations Management and Associated Register.

h Where a colleague is on other paid leave and a bereavement occurs, the colleague 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 colleague and the deceased person. Evidence of the relationship may be required.

3.5 Carry Over of Leave

a 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 colleague's employment agreement, and/or

iii It has been approved by the manager who holds the appropriate delegation.

3.6 Leave and the Authorised Closedowns

a Where a closedown period is authorised in accordance with the Holidays Act then colleagues are required to take annual leave. If the colleague has not accrued sufficient annual leave to cover the closedown period, then leave in advance may be granted or leave without pay. Should the colleague cease employment before accruing sufficient leave to offset the advance then the colleague's final pay will be reduced accordingly.

3.7 Jury Service

a A colleague 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 colleague were to be selected to be on a jury.

b Ara must release the colleague to attend jury service unless the colleague 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.

c Ara supports its colleagues participating in jury service although appropriately delegated managers can provide a letter supporting their being excused. P&C can provide support here.

3.8 Other Types of Paid Leave

a 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 CPP120a – Delegations Management and Associated Register. If the leave sought is not provided in the applicable employment agreement or precluded by law, then it cannot be approved to be taken.

3.9 Special Leave Without Pay

a 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 –

i The extent of disruption to the operation of the Institute

ii Any demonstrable benefit to the Institute

iii Any relevant compassionate or family related circumstances.

b The manager may require a written proposal from the colleague particularly when extended leave is being sought. The delegation at which such leave can be approved varies depending on the duration of leave sought.