

Ocean Shores Pre-School, Inc.

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LEAVE WITHOUT PAY POLICY

1: LWOP is available to all educators. Generally, temporary educators will not be granted extended periods of LWOP during a temporary engagement unless special circumstances exist. They may still apply.

2: An educator must have two year's service as a permanent educator immediately prior to the first day of LWOP. Casual and temporary service does not count.

3: Educators need to give three months' notice, if possible. LWOP may be granted at short notice when there are compassionate reasons. Generally, educators are expected to resume duty for two years before applying for a further period of LWOP. All maternity & long service leaves count as service for this purpose.

4: Generally, it is not necessary to specify reasons but merely to state for personal reasons. Some reasons for seeking LWOP are:

- To accompany a spouse intrastate
- Awaiting appointment to a school in new locality
- Following maternity leave for the purpose of child-rearing
- For personal reasons

5: The committee makes it clear that it will not approve short periods of LWOP immediately prior to or after a vacation to allow educators to take advantage of travel concessions, unless unavoidable with plane flight timings.

6: Educators can cancel approved LWOP or negotiate variations to the length of the LWOP prior to the commencement of that leave.

7: Educators should contact the Preschool as soon as possible indicating their wish to resume duty earlier than specified in their approved leave terms. Generally, educators should give at least one month's notice of an intention to return earlier.

8: If resigning while on LWOP the last day of service will be the date nominated on the educator's resignation form (this cannot be a retrospective date) or the last day of approved leave, whichever is the earlier.

9: A mixture of long service leave and LWOP. In this case the long service leave has to be taken first and the LWOP can commence in midterm. The only exception to this rule is immediately prior to retirement. There is no necessity for educators to exhaust their entire accrued long service leave before going on to LWOP.

10: Failure to return to duty equals abandonment of employment. If the director does not believe it appropriate to approve a further period of LWOP and the educator does not return to duty after the approved period of LWOP, the educator will be deemed to have abandoned their employment. Where the educator fails to return to work the committee will expect the educator to tender their resignation. If the educator fails to submit their resignation, and as they have abandoned their employment, the committee may instigate disciplinary action which may lead to dismissal. Upon resignation educators may apply for further casual approval, as they are entering a different form of employment, and may apply for advertised positions or ask to be placed on the Preschool employment list.

11: Arrangements for payment of educator's personal contribution should be made by them. For periods of LWOP in excess of six months' educators may elect to pay their own & the employers contribution for the whole period of LWOP.

12: Generally, LWOP does not count as service. LWOP for a period not exceeding 6 months counts as service for long service leave purposes where a teacher has at least 10 years of service prior to the leave commencing.

13: Generally, LWOP exceeding five consecutive days in any incremental year does not count as service for salary increments. If an educator has less than 10 years of service, LWOP will not be counted as service for long service leave. For educators with more than 10 years' service, LWOP of less than six months will count as service for long service leave eligibility.

14: Where an educator is absent on some form of LWOP for a period of less than one day, Leave is granted for one quarter, half or three quarters of a day "as appropriate". In calculating the amount of leave taken, educators should note that any period of one and three quarter hours or less is regarded as one quarter of a day's LWOP.

15: Applications will be considered for short periods of LWOP to attend to urgent matters. Applications should be submitted at the earliest opportunity accompanied by a statement of the nature of the business.

16: LWOP may be granted for leave taken in excess of an educator entitlement to FACS leave. The committee has the discretion to grant further leave when an educator's leave has been exhausted. This avenue should be pursued before applying for LWOP.

17: Where FACS leave has been exhausted, LWOP will be granted for the time necessary to allow attendance at the graduation ceremony of a spouse, partner, daughter or son from a university. Leave applications to attend the graduation ceremony of persons other than above will be considered individually on their merit by the committee or Director. It is advisable to apply for FACS leave initially.

18: The regulations state that as far as possible marriages should be arranged during school vacations. However, leave may be granted for up to 10 working days in exceptional circumstances. The leave application should be submitted six weeks in advance and should be accompanied by all relevant information.

19: Part time LWOP (PTLWOP) was introduced for permanent educators who seek a short term reduction in their hours of employment for personal family, study or other reasons. It is available to educators for up to two years. At the end of that period the educator will resume his/her full time position or seek a change in status to permanent part-time. Educators on PTLWOP with child carer responsibilities have a right to request that such leave extends to the time when the child starts school.

20: In determining the matter the employer may have regard to the following:

- Any benefit to the service resulting from granting LWOP
- Whether there is any form of paid leave available
- Operational needs of position
- Impact on other employees
- Additional cost to Preschool involved
- Ability to source appropriate staff

21: Apply in writing two months prior, except under exceptional circumstances.

22: Notice shall include reason, which contains relevant support, information & dates.

23: LWOP will not be counted when calculating service.(See 13 for exception)

24: LWOP will only be granted if qualifications are in respect of their employment with the preschool

Reviewed December, 2015

