# Operational Policy: Non Teaching Staff Leave (NAG 3)

## Blind & Low Vision Education Network NZ

## Statement of Intent:

To provide consistency when dealing with staff leave applications and ensure such leave complies with the relevant employment agreements and the Holidays Act 2003.

Leave covered under this policy includes annual, study, time-in-lieu, discretionary leave with pay, discretionary leave without pay, long service leave, parental leave, sick leave and medical leave for reasons other than normal sick leave.

Nothing in this policy will override current or future NZ Legislation.

## Delegated Authority:

* All approvals for leave will be consistent with appropriate employment agreements and the Holidays Act 2003.
* Leave for managers and other staff reporting directly to the principal will be approved by the principal.
* As delegated by the principal, managers and other senior staff may approve annual leave for their staff.
* In the case of discretionary, long service, parental leave and leave without pay, senior staff as delegated may approve up to 2 days, Senior Managers up to and including 5 days and the Principal six days and over after consultation with the appropriate manager.

## Policy Requirements:

1. All applications for leave must be tendered to the manager or principal on the appropriate leave forms which should be signed by the person giving approval and forwarded to the Senior Manager Administration for any payroll adjustments to be made. Wherever possible four weeks notice of annual leave and leave without pay is required.

2. Where staff are entitled, through their employment contract, to time in lieu and are required to work outside normal working hours, they must negotiate time in lieu arrangements with their manager. Except in cases of extreme urgency, approval for time-in-lieu should be obtained before the date when extra duties are carried out. Staff employed for 52 weeks per year who work directly with ākonga should take their time-in-lieu at the next term break unless otherwise agreed with the principal or manager. Staff working directly with ākonga who are not employed 52 weeks of the year should receive payment for hours worked rather than time-in-lieu.

3. As of 1 April 2011, section 28A of the Holidays Act has been amended to allow the 52-week non teaching employees to request up to one week of annual leave to be cashed up. The maximum number of days able to be cashed up is five (5) days per entitlement year. Days not cashed up cannot be accumulated. In no other case, other than termination of employment, will salary be paid in lieu of annual leave.

4. Staff who request leave without pay (LWOP) for less than half a day will, in negotiation with their manager, make up these hours at an agreed time.

5. Staff who request LWOP for over five days must complete the application for leave form as well as provide separate written documentation to support their request.

6. Approval for staff to carry over more than 5 days, and up to 10 days, unused annual leave allocation to the following year must be obtained from the appropriate manager. Approval to carry over 10 days must be approved by the principal. Five days or less of annual leave will be automatically carried over.

7. Staff may take accrued annual leave in advance. In all cases the BLENNZ Application for Leave form must be completed and signed by the applicant. This authorises the Board of Trustees to deduct any overpayment of holiday pay from the employee’s final pay in the event of their resignation. In addition to this, non teaching staff may take up to 5 days anticipated leave with the approval of their manager.

8. Sick leave entitlement is in terms of the respective employment agreements. If an employee has no sick leave entitlement they must talk to their manager about their options. As confirmed by the Support Staff in Schools Collective (4.4.3b) and the Caretakers & Cleaners Collective (5.1.3), sick leave may not be anticipated except where the employer and employee agree.

Absences on sick leave are to be notified to the respective line manager by phone as early as possible on the day they occur. If phone contact is not possible an email or text message can be sent. If an email or text message is sent, this must be copied to the local office administrator. In the case of the Homai Campus, email or text notification must be copied to the EA School & Residential Services and the Receptionist. Where leave is required for other medical reasons (e.g. surgery), staff are asked to discuss this with their manager as soon as possible to allow a reliever to be employed to cover the staff member during their absence.

In terms of the relevant collective agreement, a staff member is entitled to take leave on pay as a charge against their sick leave entitlement when required to be absent from work to attend to a person who is dependent upon the employee for care. It is not appropriate for a staff member to bring their sick child to work with them.

An employee shall produce a medical certificate or other evidence of illness if required to do so by the employer for absences exceeding three days (4.4.3C of the Support Staff in School’s Collective Agreement).

9. Wherever possible study leave will be linked to personal development objectives and will be negotiated and approved during the annual performance appraisal cycle.

10. Systems for record-keeping and updating of personnel files will comply with the Holidays Act 2003.

## Supporting Documents:

[Government Legislation Website](file:///\\bl-fs01\HomeDrives\blamphee\2021\2021%20Policy%20Review\www.legislation.govt.nz)

[Link to Ministry of Education: Collective Employment Agreements](http://www.education.govt.nz/school/people-and-employment/employment-agreements/collective-agreements/)

[Link to Ministry of Business Innovation and Employment (MBIE)](file:///\\bl-fs01\HomeDrives\blamphee\2021\2021%20Policy%20Review\www.mbie.govt.nz)

Approved: 

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Next Review: 2024