

- 1. TITLE:** **Leave without Salary Credited as Service**
- 2. PURPOSE:** To prescribe the entitlements for leave without pay being credited as service for leave and salary purposes.
- 3. LEGISLATIVE PROVISION:** Section 34(2) of the *Public Service Act 1996*.
- 4. APPLICATION:** This directive applies to:
 - public service officers; and
 - employees engaged under sections 112(2)(a) and 113(2)(a) of the *Public Service Act 1996*.

This directive **does not apply** to employees engaged on a casual basis under sections 112(2)(b) and 113(2)(b) of the *Public Service Act 1996*.
- 5. STANDARD:** The conditions prescribed in the Schedule apply.
- 6. EFFECTIVE DATE:** This directive is to operate from **1 November 2001**.
- 7. VARIATION:** The provisions of the Schedule may be varied in accordance with certified agreements made under Chapter 6, Part 1 of the *Industrial Relations Act 1999* or decisions of an industrial tribunal of competent jurisdiction.
- 8. INCONSISTENCY:** Sections 34 and 117 of the *Public Service Act 1996* and section 687 of the *Industrial Relations Act 1999* apply if there is a conflict with an act, regulation or industrial instrument.
- 9. SUPERSEDES:** Directive 8/99: "*Leave Credited as Service*".
- 10. PREVIOUS REFERENCES:** Section 23 of the *Public Service Management and Employment Regulation 1988* as in force on 24 February 1995.
Determination No. 5
Administrative Instructions No. 1 | 55, 1 | 60
- 11. SEE ALSO:** Directive: "*Retrenchment*"
Directive: "*Voluntary Early Retirement (VER)*"

SCHEDULE

LEAVE CREDITED AS SERVICE

GENERAL CONDITIONS				
Entitlement				
Public service officers employed under s. 8 of the <i>Public Service Act 1996</i> and employees engaged under sections 112(2)(a) and 113(2)(a) of the <i>Act</i>		are to have leave without salary credited for service for leave and salary purposes as provided in this schedule.		
LEAVE CREDITED AS SERVICE				
Type of leave without salary	Period of leave recognised for:			
	Recreation leave	Sick leave	Long service leave	Salary increments
Sick leave	The first 3 months of any continuous period.	The first 3 months of any continuous period.	The first 3 months of any continuous period.	The first 3 months of any continuous period.
Parental leave*	The first 3 months of any continuous period.	Any continuous period not exceeding 9 working days**.	Any continuous period not exceeding 9 working days**.	Any continuous period not exceeding 1 month**.
Special leave	The first 3 months of any continuous period.	Any continuous period not exceeding 9 working days**.	Any continuous period not exceeding 9 working days**.	Any continuous period not exceeding 1 month**.
Special leave to undertake service overseas with the Australian Volunteers Abroad	The first 3 months of any continuous period.	Any period	Any period	Any continuous period not exceeding 1 month**.
Study leave; residential school; attendance leave; and SAFAS leave.	The first 3 months of any continuous period.	Any continuous period not exceeding 9 working days**.	Any period provided that the course of study is successfully completed. For cash equivalent purposes successful periods of study shall only be recognised in the case of retirement under sections 85 and 86 of the <i>Public Service Act 1996</i> , retrenchment under section 81 of the <i>Public Service Act 1996</i> or in the case of death.	Any continuous period not exceeding 1 month. *. OR Any period where a Staff Scholarship, equal to part or full salary is granted.

LEAVE CREDITED AS SERVICE				
Type of leave without salary	Period of leave recognised for:			
	Recreation leave	Sick leave	Long service leave	Salary increments
Special leave to claim Workers' Compensation***	The first 3 months of any continuous period.	The first 3 months of any continuous period.	Any period.	The first 3 months of any continuous period.
Service with the Reserve Force, i.e. the Australian Naval Reserve, the Australian Army Reserve or the Australian Air Force Reserve.	The first 3 months of any continuous period.	N/A	Any period.	N/A

* An employee on unpaid maternity leave (a form of parental leave) continues to receive entitlements associated with this leave as well as entitlements due when working as a casual employee whilst on unpaid maternity leave. These two contracts of employment are mutually exclusive and the entitlements accrued under the second (casual) contract cannot be transferred to the first contract of employment.

** Where the total period of continuous leave exceeds the specified period, the total period of leave shall not be credited as service.

*** Where an employee returns to work on a graduated "suitable duties program" and is paid by the employer (i.e. is not receiving workers' compensation benefits paid by the insurer under the *WorkCover Queensland Act 1996*), the employer is to credit attendance at work for leave purposes in accordance with the relevant directive.