

SICK AND CARERS LEAVE PROCEDURE

SCOPE

This procedure is applicable to fixed-term and continuing academic, professional and trades and services staff of the University, herein collectively referred to as 'you' for the purpose of this procedure.

In this procedure, the Enterprise Agreement means the [Monash University Enterprise Agreement \(Academic & Professional Staff\) 2019](#) or the [Trades and Services staff \(Building and Metal Trades staff\) 2009](#) or [Trades and Services staff \(Catering and Retail, Cleaning and Caretaking, and Miscellaneous services staff\) 2005](#) as applicable to you in accordance with your contract of employment. Links to relevant clauses are included in the definitions of this procedure.

This procedure does not apply to unpaid adjunct appointees or honorary appointees, nor to casual or sessional staff except regarding unpaid sick leave taken for carer's responsibilities (refer [section 102 of the Fair Work Act 2009](#)).

PROCEDURE STATEMENT

Staff of the University accrue sick and carer's leave entitlements in accordance with the relevant Enterprise Agreement. This procedure specifically relates to sick and carer's leave entitlements and the accrual and taking of such leave at Monash University ('us', 'our' or 'we').

1. Sick and carer's leave

1.1 Subject to the relevant Enterprise Agreement, you are entitled to sick and carer's leave:

- when you are unable to perform your duties due to an illness or injury; or
- to use sick leave credits where you are required to provide care to a family member who requires your care because of illness, injury or unexpected emergency affecting the family member.

2. Sick leave entitlements

2.1 Your sick leave entitlements are outlined in the relevant Enterprise Agreement. The applicable Enterprise Agreement clauses are:

Academic and professional staff	Trades and services staff	
Monash University Enterprise Agreement (Academic and Professional Staff) 2019	Monash University Enterprise Agreement (Trades and Services Staff – Building and Metal Trades Staff) 2009	Monash University Enterprise Agreement (Trades and Services Staff – Catering and Retail, Cleaning and Caretaking, and Miscellaneous Services Staff) 2005
<ul style="list-style-type: none"> • Clause 16 – Mode of Employment • Clause 38 – Definitions and General Conditions • Clause 41 – Sick and Carer's Leave 	<ul style="list-style-type: none"> • Clause 17 – Casual Employment • Clause 18 – Fixed-Term Employment • Schedule 3 (b) – Leave Entitlements: Personal Leave • Schedule 6, 3 – Application of Leave: Application of Personal (Formerly Sick) Leave 	<ul style="list-style-type: none"> • Clause 15 – Part-time Employment • Clause 18 – Fixed-Term Employment • Clause 62 – Leave Entitlements of Seasonal Staff • Schedule 3 (b) – Leave Entitlements: Sick Leave • Schedule 3 (c) – Leave Entitlements: Carer's Leave

2.2 Where you are employed on a part-time basis, you will receive sick leave entitlements on a pro-rata basis and will take leave at your fraction of employment as at the commencement of the leave period.

3. Sick leave balance

3.1 Sick leave balances can be viewed through Employee Self Service ([ESS](#)).

4. How to apply for sick or carer's leave

- 4.1 You must notify your supervisor as soon as possible that you will be absent from work taking sick or carer's leave and the anticipated time you expect to be away from work.
- 4.2 Immediately following your return to work (or in advance if known), you must apply for sick or carer's leave via [ESS](#).
- 4.3 It is your responsibility to ensure that where evidence is required to support an application for leave (such as a medical certificate), this is attached by you via ESS.
- 4.4 All approvals are subject to verification that you have an entitlement to the claimed leave, and that the leave is in accordance with the entitlements in the relevant Enterprise Agreement.
- 4.5 If you are a part-time staff member, you must ensure that the specified sick leave days that you apply for are the same as those listed in your work schedule. If a work schedule is not in place or has changed, an updated schedule should be submitted. Work schedules are available via the Monash HR [staff forms](#) website.
- 4.6 The amendment or cancellation of an application for sick or carer's leave is to be processed through [ESS](#).

5. Proof of illness for sick and carer's leave

- 5.1 For sick leave absences in excess of either three consecutive days (including weekends and public holidays) or six aggregate days in any year of service, you will be required to provide satisfactory evidence of illness or incapacity, as outlined in the relevant Enterprise Agreement.
- 5.2 For carer's leave including unpaid carer's leave, you must on each occasion provide satisfactory evidence of the need to be absent from work on carer's leave.
- 5.3 Satisfactory evidence is a valid medical certificate, a [statutory declaration](#) or other evidence deemed satisfactory by us. Your supervisor may request you to provide medical certificates if there are repeated instances of sick leave or where your supervisor has concerns for your health and wellbeing.

6. Sick leave in advance

6.1 Where the period of your illness or incapacity exceeds your sick leave entitlement, we may approve a sick leave entitlement in advance, provided the period will normally be accrued within the period of appointment. Approval of sick leave in advance of credit will be subject to approval by the Chief Human Resources Officer through the Dean or equivalent.

7. Interaction of sick and carer's leave with other forms of leave

7.1 The following clauses in our enterprise agreements explain the interaction of sick and carer's leave taken with annual leave and long service leave.

Academic and professional staff	Trades and services staff	
Monash University Enterprise Agreement (Academic and Professional Staff) 2019	Monash University Enterprise Agreement (Trades and Services Staff – Building and Metal Trades Staff) 2009	Monash University Enterprise Agreement (Trades and Services Staff – Catering and Retail, Cleaning and Caretaking, and Miscellaneous Services Staff) 2005
<ul style="list-style-type: none">Clause 41.4 (Sick Leave)Clause 41.9 (Carer's leave)	<ul style="list-style-type: none">Schedule 6, section 3 – Application of Personal (Formerly Sick) Leave	<ul style="list-style-type: none">Schedule 5, section 4 – Sick Leave

8. Sick leave on resignation and termination

8.1 Sick leave is not paid out on termination of employment from the University.

9. Breach of procedure

9.1 We treat any breach of our policies or procedures seriously. We encourage reporting of concerns about non-compliance and manage compliance in accordance with the applicable Enterprise Agreement or contract terms.

DEFINITIONS

Carer's Leave	Leave taken to provide care to a family member who requires the staff member's care because of illness, injury or unexpected emergency affecting the family member.
ESS	An online Employee Self Service system which provides staff with easy and private access to personal and current employment information held by the University.
Family member	Either: <ul style="list-style-type: none"> a member of the staff member's household; or a member of the staff member's immediate family which includes spouse, child, parent, grandparent, grandchild, sibling or any other person with whom the University is satisfied that the staff member has a genuine family relationship.
Enterprise Agreement	<p>The Enterprise Agreement means the Monash University Enterprise Agreement (Academic & Professional Staff) 2019 or the Trades and Services staff (Building and Metal Trades staff) 2009 or Trades and Services staff (Catering and Retail, Cleaning and Caretaking, and Miscellaneous services staff) 2005 as applicable to the staff member in accordance with their contract of employment. Clauses relating to this procedure include:</p> <p>Monash University Enterprise Agreement (Academic and Professional Staff) 2019</p> <ul style="list-style-type: none"> Clause 17 – Seasonal Employment Clause 19 - Periodic Academic Employment Clause 41 – Sick and Carer's Leave <p>Monash University Enterprise Agreement (Trades & Services Staff- Building & Metal Trades Staff) 2009</p> <ul style="list-style-type: none"> Schedule 3 (b) – Leave Entitlements: Personal Leave Schedule 6, 3 – Application of Leave: Application of Personal (Formerly Sick) Leave <p>Monash University Enterprise Agreement (Trades and Services Staff - Catering and Retail, Cleaning and Caretaking, and Miscellaneous Services Staff) 2005</p> <ul style="list-style-type: none"> Schedule 5, section 4 – Sick Leave
Staff	For the purposes of this procedure, means a person employed by the University on a continuing or fixed-term basis or, in respect of unpaid sick leave taken for carer's responsibilities, on a casual/sessional basis.
Supervisor	The person who is responsible for the supervision of staff and in most cases this will be the immediate line manager.
Valid medical certificate	<p>A valid medical certificate means a certificate signed by a medical practitioner, which is a person registered, or licensed, as a medical practitioner under a law of a State or Territory that provides for the registration or licensing of medical practitioners. The certificate must meet the Australian Medical Association's Guidelines which includes:</p> <ul style="list-style-type: none"> name and address of the doctor issuing the certificate; name of the patient; date on which the examination took place; date on which the certificate was issued; date(s) on which the patient is or was unfit for attendance.

GOVERNANCE

Parent policy	Leave and wellbeing
Supporting schedules	N/A
Associated procedures	<ul style="list-style-type: none"> • Types of Leave - All Leave <p>Procedure forms</p> <ul style="list-style-type: none"> • ESS • Application for Leave and Special Leave [Online]
Legislation mandating compliance	Fair Work Act 2009
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Procedure owner	Director, Workplace Relations
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