

## LEAVE WITHOUT PAY POLICY

### 1. PURPOSE OF POLICY

- 1.1 The purpose of this Policy is to outline in what circumstances employees may request leave without pay.

### 2. COMMENCEMENT OF POLICY

- 2.1 This Policy will commence from 25/07/2022. It replaces all other leave without pay policies of Fitzpatrick Group ('Fitzpatrick Group') (whether written or not).

### 3. APPLICATION OF THE POLICY

- 3.1 This Policy applies to employees of Fitzpatrick Group. It does not form part of any employee's contract of employment.

### 4. LEAVE WITHOUT PAY

- 4.1 Fitzpatrick Group recognises that circumstances sometimes arise where an employee needs to take leave from work but has insufficient accrued leave entitlements to do so. Examples include non-work related illness, caring for family members or relatives for an extended period of time, travel, study, undertaking volunteer work or moving house.
- 4.2 Leave without pay may be available where no paid leave is otherwise available. The granting of this leave is at the discretion of Fitzpatrick Group. Only employees who have no entitlement to paid leave for the period of their proposed absence may apply for leave without pay. The period of approved leave without pay is at Fitzpatrick Group's absolute discretion and the leave can be cancelled at any time by Fitzpatrick Group for operational reasons.
- 4.3 Employees who are granted and take leave without pay will not accrue entitlements that would accrue if they were working, such as entitlements to annual leave and paid personal/carer's leave. While the taking of a period of leave without pay will not break an employee's continuous service with Fitzpatrick Group, the period of the leave of absence will not count towards the period of the employee's service with Fitzpatrick Group including for the purpose of calculating service in relation to requests for flexible working arrangements, parental leave and related entitlements and notice of termination or payment in lieu of notice.
- 4.4 An employee does not have any ordinary hours of work during a period of leave without pay and as such, an employee will not be entitled to payment for public holidays during a period of leave without pay.
- 4.5 Fitzpatrick Group will not make superannuation contribution payments on an employee's behalf during any period of leave without pay. Employees should review any insurance cover arrangements to check what arrangements apply during a period of leave without pay.
- 4.6 All employees who are granted leave without pay are expected to resume duties on the first working day after the expiration of the leave period as agreed. If an employee does not intend to resume duties on that day or at all,

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they should notify HR in writing at least LeaveChangeNoticeDuration before the expiration date. A failure to make appropriate arrangements with Fitzpatrick Group before the expiration date of the leave may result in an employee's employment ending due to abandonment.

**5. APPLICATION FOR LEAVE**

- 5.1 To apply for leave without pay, employees should submit a request to HR using the Leave Application Form.
- 5.2 If leave is approved, employees may be required to comply with certain work-related requirements during that period of leave, for example, attendance at work-related training courses or conferences and not accepting other employment during the period.

**6. CONTACT DETAILS**

- 6.1 Any employee who is granted leave without pay is required to provide Fitzpatrick Group with up-to-date contact details prior to the commencement of leave and during the period of leave if the employee's contact details change.

**Variations**

*Fitzpatrick Group reserves the right to vary, replace or terminate this policy from time to time.*