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EMPLOYMENT CONDITIONS POLICY

Policy Statement

Enhanced Lifestyles (EL) and Lifestyle Assistance and Accommodation Service (LAAS) is committed to providing a positive work environment in which employees feel that they are valued, treated fairly and given recognition for their contribution to the organisation's achievements. EL and LAAS aim to provide an environment that fosters good working relationships at all levels and offers flexible and supportive work practices.

Employment conditions for staff will comply with relevant legislation and standards. EL and LAAS will apply the following principles to all aspects of its relationship with staff:

- Fairness and equity
- Respect for individuals, their privacy and confidentiality
- Accountability for actions and performance
- Support and encouragement for professional development
- Understanding and workplace flexibility for personal needs
- Promotion of a healthy and supportive workplace culture

This document complies with NDIS Practice Standards 2018, standard 2.7 Human Resources Management, and ACIS 2018, section 2.7 Resource Management. This document is readily available to all Customers/Clients and employees of EL and LAAS including The Boards.

Policy context: This policy relates to	
Legislation or other requirements	Equal Opportunity Act 2010 Fair Work Act 2009 Fair Work Australia National Employment Standards 2020 South Australian Long Service Leave Act 1987
Contractual obligations	Employment Contracts Enterprise Bargaining Agreement 2015

Employment conditions

The employment conditions of staff are covered by the Enhanced Lifestyles Incorporated Enterprise Agreement 2015 based on the Social, Community, Home Care and Disability Services Industry (Federal) Award 2010.

The Enhanced Lifestyles Enterprise Agreement:

- is an agreement between Enhanced Lifestyles and employees
- is registered with the Fair Work Commission
- has a nominal 2-year lifespan
- covers the employment conditions of all employees
- covers all standard employment conditions such as salaries, superannuation, and leave entitlements.

As long as the Agreement has been established correctly and does not counter or reduce terms in the National Employment Standards or SCHADS Award, the Agreement prevails in the event of a conflict or inconsistency:

- between the Agreement and any EL and LAAS policy document
- between the Agreement and SCHADS Award

Refer to the Enhanced Lifestyle agreement for detail of any employment conditions not covered within this policy statement.

Summary of conditions of employment

The conditions of employment for staff employed by EL and LAAS are documented in full in the Enhanced Lifestyles Incorporated Enterprise Agreement 2015. They include the following:

- **Salaries:** Wage levels are specified for each position and increases to wages will be implemented following increases to the SCHADS Award based on progression on pay points
- **Superannuation:** Set at the Superannuation Guarantee (Administration) Act 1992 level.
- **Working hours:** All wages are based on the number of hours worked or on a pro rata basis. Managers may set the minimum hours to be worked in any one day and the maximum hours to be worked in any one day.

For full-time employees, maximum hours of work are specified as 38 hours per week plus reasonable additional hours.

For part-time and casual employees, maximum hours of work are specified as 38 hours or employee's ordinary weekly hours (whichever is less) plus reasonable additional hours.

- **Meal breaks:** Where applicable, 30 minutes (unpaid) for lunch. Employees may not work more than 5.5 hours without a break.
- **Overtime:** For Operational team members, overtime is at the direction of the Chief Executive Officer and is accumulated as Time Off In Lieu (TOIL). Work on weekends or public holidays must be approved in writing. Accrued overtime leave should be taken within 4 weeks of being accrued, although this timeframe may be extended with the Chief Executive Officer's approval. Lifestyle Attendants work agreed hours as per their roster. Penalty rates apply where a Lifestyle Attendant works outside of standard hours as per the Enhanced Lifestyles Incorporated Enterprise Bargaining Agreement 2015.
- **Higher duties allowance:** When an employee undertakes a position with higher duties on a temporary basis, they are to be paid at the rate of that position, as determined by the Chief Executive Officer.
- **Flexible working arrangements:** Changes in working arrangements may be requested by employees. Requests of this nature can only be refused on reasonable business grounds. Decisions must be documented and communicated to employees in writing within set timeframes.
- **Grievance procedure:** Incorporated in Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service Q269 – Feedback and Complaints Management Policy
- **Disciplinary Procedure:** Incorporated in Enhanced Lifestyles and Lifestyle Assistance and Accommodation Service Q260 Disciplinary Procedures Policy.
- **Secondments:** Secondments may occur by mutual agreement of the employee and Chief Executive Officer, and entitlements continue to accrue during the secondment.
- **Termination of employment:** As documented in employee contract.
- **Redundancy:** Redundancy payments apply to employees after 12 months permanent employment and are based on length of service and age of employee.
- **Significant organisational change:** EL and LAAS will consult with employees about any significant organisational changes that will impact on employees.
- **Insurance:** Work-related accidents are covered under workers' compensation insurance.
- **Travel and meal expenses:** At the direction of the Chief Executive Officer

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- **Employee Assistance Program (EAP):** If a situation arises for an employee which would benefit from counselling, EL and LAAS can facilitate 3 counselling sessions via an external EAP service, and will consider further sessions on a case by case basis.

Leave Entitlements for Full-Time and Part-Time Staff

Leave entitlements for EL and LAAS full-time and part-time staff are specified as follows:

Annual Leave:

- 4 weeks of annual leave (pro-rata for part-time employees), accrued year-to-year.
- Applications for annual leave must be made by employees to their line manager via the prescribed process below, prior to the commencement date of leave. Employees should allow reasonable notice to management when requesting leave, to ensure that cover arrangements can be made.
- Acceptance of annual leave requests is at management discretion and will be subject to consideration of several factors including other staff absences during the same period, the period of notice given in the leave request, the duration of leave requested, and the time of year.
- An employee who works for more than four ordinary hours on 10 or more weekends in a calendar year is entitled to five weeks of annual leave applicable to that calendar year only. Additional weekend work by an employee must be approved by the relevant line manager in all cases prior to work taking place.
- Annual leave should not accrue above four weeks.
- EL or LAAS may direct an employee to take a period of annual leave if the employee's accrued annual leave balance is greater than 6 weeks pro-rata. The relevant manager must give at least four weeks notice to the employee regarding this direction.

Personal Leave:

- 10 days of paid personal leave (pro-rata for part-time employees), accrued year-to-year.
- If an employee is unable to attend work due to injury or illness, notice must be given to the relevant line manager as soon as reasonably practicable.
- On return to work after personal leave, an employee is required to submit a leave application via the prescribed process below.
- Where personal leave is taken for two consecutive days or three non-consecutive days, a medical certificate or other reasonable evidence must be provided by the employee to their line manager. Managers may at their discretion seek to obtain a

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medical certificate or statutory declaration from employees regarding shorter periods of personal leave.

Carer's leave:

- An employee is entitled to two days of unpaid leave on each instance of a permissible occasion when there is insufficient paid personal leave available. A permissible occasion is defined as:
 - A personal illness or injury affecting the employee, or
 - An unexpected emergency affecting the employee
- Carer's leave does not accumulate year-to-year

Compassionate leave:

- An employee is entitled to a period of two days compassionate leave for each occasion when a member of the employee's immediate family or household:
 - Contracts or develops a personal illness that poses a serious threat to his or her life, or
 - Sustains a personal injury that poses a serious threat to his or her life, or
 - Dies.
- Compassionate leave does not accumulate year-to-year

Time Off In Lieu (TOIL):

- TOIL may be accrued by an employee only through prior consent with their line manager, for occasions where additional hours of work are performed outside of usual work hours.
- Applications for TOIL must be made by employees to their line manager via the prescribed process below, prior to the commencement date of proposed additional hours of work.
- Employees should allow reasonable notice to management when requesting TOIL.
- TOIL can only be taken on days approved by the employee's line manager.

Public Holidays:

- Public holidays are paid days for employees who would usually work on that day.

Long Service Leave:

- As per South Australian legislation

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Parental Leave:

- As per Fair Work legislation

Community Service Leave:

- Employees will be paid their base rate of pay for the duration of jury service.
- Employees are permitted unpaid leave as required to engage in voluntary emergency management activities.

Other Leave Entitlements:

- As per Purchased Leave Policy.

Leave Entitlements for Casual Staff

Casual staff:

- Are not entitled to annual leave or personal leave.
- Are entitled to carer's leave, family & domestic violence leave, and emergency services leave as unpaid leave in the same capacity as full-time and part-time employees.
- Are entitled to compassionate leave as unpaid leave.
- Are entitled to jury service leave as unpaid leave.
- Are entitled to Long Service Leave as per South Australian legislation.
- Are entitled to unpaid parental leave as per Fair Work legislation.

Leave application process

Applications for leave must be undertaken using QF220 Application for Leave Form.

In cases where leave in the future is being requested (eg annual leave, long service leave) there is a three-stage process for approval:

1. The employee completes the first page of the form and provides it to HR, who will:
 - Check the employee's leave balances (as relevant).
 - Check the leave calendar to identify if there are other significant periods of leave being planned by other staff at the same time.
 - Notify the employee's line manager of the leave request and any considerations for approval / non-approval (eg insufficient leave, too many other people on leave at the same time).

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- HR can decline leave if sufficient reasons are available or can provisionally approve the request by passing it to the line manager for further consideration.
 - If HR gives provisional approval, the leave request is entered by HR into the leave calendar as a tentative leave period. This can be changed to a confirmed period of leave upon management approval, or it becomes confirmed if it is unchanged by the date of commencement of the leave request.
2. The employee's line manager reviews the request and makes a decision to approve or decline the request. This decision is passed on to the HR team to amend the leave calendar as required.
 3. The employee's line manager provides the leave form to the Chief Executive Officer or Chief Operations Officer, who can at their discretion make a final decision regarding the approval or non-approval of the leave request. If changing the line manager's decision, the CEO / COO would notify the line manager and HR of the decision so that team planning and the leave calendar can be adjusted accordingly.

In cases where the leave request is retrospective (eg personal leave) the leave request form must be filled out and provided to HR for absence registration purposes. HR will then provide the leave form to the employee's line manager for signing and filing.

In cases of TOIL, the TOIL Application Form (QF221A) must be completed by the employee and approved by the relevant line manager prior to the TOIL accrual taking place.

Leave without pay

Employees of EL and LAAS may apply for Leave Without Pay (LWOP) for any purpose. LWOP is not an automatic right but requests for LWOP will be assessed on a case by case basis and will be considered having regard to both the needs of the employee and the reasonable business needs of EL and LAAS. Requests for LWOP must be made as soon as reasonably practicable prior to the proposed commencement of the LWOP.

The maximum amount of LWOP an Employee can take is 12 months unless approved by the Chief Executive Officer, or the Board of Management in the case where the Chief Executive Officer is requesting the LWOP.

Where employees have insufficient personal leave accruals for a period of personal leave, the leave will be registered as annual leave unless the employee indicates that they would prefer for this period to be registered as LWOP.

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Employees are permitted five days of unpaid leave per 12 months for reasons relating to family and domestic violence.

Decision-making regarding Employment Conditions

The Chief Executive Officer or their delegate is authorised to make decisions on matters concerning employee employment conditions.

Documents related to this policy	
Related policies	<p>Q217 – Purchased Leave Policy</p> <p>Q255 – Employee Induction Policy</p> <p>Q260 – Disciplinary Procedures Policy</p> <p>Q269 – Feedback and Complaints Management Policy</p>
Forms, record keeping or other organisational documents	<p>QF220 – Leave Application Form</p> <p>QF221 – Application for Purchased Leave</p> <p>QF221A – Application for TOIL</p>