Staff - Community Service Leave Procedures

INTRODUCTION

Community Service Leave (CSL) may be taken as a combination of paid and unpaid leave. Leave under this clause of the Charles Darwin University and Union Enterprise Agreement is for staff to contribute to and service the community in a variety of eligible community service activities. Such service by staff strengthens community engagement by building and promoting positive relations.

COMPLIANCE

This is a compliance requirement under the Charles Darwin University Act 2003 part 3, section 15.

INTENT

The purpose of this document is to communicate to staff the eligibility requirements and conditions associated with accessing community service leave.

RELEVANT DEFINITIONS

In the context of this document

Eligible Community Service Activity means

- A voluntary emergency management activity; or
- Jury service (including attendance for jury selection) that is required by, or under, a law of the Commonwealth, State or Territory; or
- A witness in a civil, criminal or industrial matter; or
- A significant cultural or ceremonial event; or
- A national or international sporting event where the staff member is a participant or appointed as a recognised national or international official; or
- Defence force training being either an annual training camp or one school or course of instruction.

Elite competitor means an athlete recognised as such by their particular sporting association;

Recognised emergency management body means a body or part of a body that has a function under a plan that:

- Is for coping with emergencies and/or natural disasters prepared by the Commonwealth, State or Territory; a fire-fighting, civil defence or rescue body; or
- Any other body or part of a body, the substantial purpose of which involves securing the safety of persons or animals in an emergency or natural disaster; or
- Protecting property in an emergency or natural disaster; or
- Otherwise responding to an emergency or natural disaster in accordance with the Fair Work Act.
Recognised national or international sporting event means an event of iconic status in Australia. A national event must be open to elite competitors from all Australian states and territories. An international event must include elite competitors from overseas. International events may include (but are not limited to) the Olympic Games, the Commonwealth Games, the Australian Open in tennis/golf or Test Cricket and World Championships in Netball. National events include national and state/territory titles or championships and interstate competitions;

Significant cultural or ceremonial event means an event that is of significance to the University and not necessarily to the staff member. Events include but are not limited to national awards both community and academic e.g. Australian of the Year Award, presentations to staff by national bodies or cultural or ceremonial bodies or organisations;

Supervisor means the person responsible for day-to-day supervision of a staff member or a group of staff;

Voluntary emergency management activity means an activity that involves dealing with an emergency or natural disaster where the staff member is engaged on a voluntary basis and is a member or has a member-like association of a recognised emergency management body in accordance with the Fair Work Act;

PROCEDURES

Eligibility for Community Service Leave

A staff member engaging in an eligible community service activity is entitled to be absent from the University for the duration of time required by the staff member to engage in the activity; including:

- Reasonable travel time associated with the activity; and
- Reasonable rest time immediately following the activity.

where the staff member’s absence is reasonable in all circumstances (except where the activity is for jury service).

Casual staff are not entitled to apply for CSL.

Entitlement to Community Service Leave

Eligible staff who have provided the required notice and evidence for an absence in accordance with CSL are entitled to ten (10) days paid leave.

Where the CSL is requested for longer than 10 days, the CSL will become Leave without Pay (LWOP) [refer to the University’s Staff Leave without Pay (LWOP) Procedures].

CSL cannot be accrued.

Notice and Evidence

Staff requesting CSL are required to provide written notice to their supervisor.

The notice must:

- Be given to the supervisor as soon as reasonably practicable; and
- Advise of the nature and period of leave;
Notwithstanding the above, staff are encouraged to provide as much advance notice as possible to allow for operational adjustments.

Evidence provided must satisfy a reasonable person that the absence is because the staff member has or will be engaging in an eligible community service activity.

Examples of evidence may include, but are not limited to:

- A letter from the recognised emergency management body executive outlining the nature of the emergency or disaster and the staff member’s role, or
- A letter of selection for jury duty from the court.

**Salary during Community Service Leave**

Eligible Staff shall be paid their normal ordinary time earnings while on paid CSL for the first ten (10) days only.

**Booking Community Service Leave**

The staff member’s relevant, immediate Supervisor is responsible for approving all CSL.

Staff wishing to apply for CSL do so by completing an Application for Leave form attaching a copy of evidence, i.e. letter of selection for jury duty from the court. The approved form must then be forwarded to Office of People and Capability as soon as practicable, in advance where possible, but no later than five (5) working days after the staff member returns to work.

A CSL booking must only be booked once. Office of People and Capability will recover overpayments resulting from overbookings.

**Cancellation/Amendment of Approved Community Service Leave**

To cancel or change a future approved leave booking the staff member must download and complete a Request for Leave Amendment form from the Office of People and Capability. Forms webpage, have the cancellation approved by his/her supervisor and forward to Office of People and Capability for processing.

**Special recognition of the Arafura Games and the Masters Games**

The Arafura Games are played every two (2) years and the University recognises the special significance of the Games to the Northern Territory. The University has been proud to support the Games by allowing a limited number of staff to assist with the administration and running of the Games. However, the Games do not meet the definition of an “International Sporting Event” because of their restricted entry requirements. Therefore, University staff wishing to participate in the Games as athletes must do so in their own time.

The Masters Games are held every two (2) years in Alice Springs. The University recognises the special significance of the Games to the Alice Springs community. In light of this recognition, the University is prepared to support a limited number of staff to assist with the administration and running of the Games. Staff wishing to participate in the Games as athletes may do so in their own time.
Refusal of Community Service Leave - Operational Requirements

The University will not unreasonably refuse an application for CSL however the taking of CSL is subject to the operational requirements of the University. For example, a teaching-focussed academic staff (TFAS) member may be refused leave during a period of teaching.

Where the staff member is required to attend for jury service and CSL is requested, the University shall not interfere.

ESSENTIAL SUPPORTING INFORMATION

Internal

Application for Leave form

CDU and Union Enterprise Agreement 2013

Human Resource Policy

Request for Leave Amendment form

Staff Leave without Pay Procedures

External

Fair Work Act 2009
<table>
<thead>
<tr>
<th>Version</th>
<th>Date Approved</th>
<th>Approved by</th>
<th>Brief Description</th>
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<tr>
<td>1.00</td>
<td>9 Nov 2011</td>
<td>Vice-Chancellor</td>
<td>Creation of original document and upload to CDU website.</td>
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| 1.01    | 24 Jul 2013   | Governance    | • Assigned document number  
• Converted document to current template  
• Updated and added hyperlinks  
• Minor changes to wording, grammar and formatting |
| 1.02    | 30 Sep 2015   | Governance    | • Updated hyperlinks and references to the Charles Darwin University and Union Agreement 2013 |
| 1.03    | 15 Dec 2017   | Governance    | • Conversion to new template due to new University branding  
• Updated definitions  
• Updated hyperlinks  
• Amended ‘The Act’ with Fair Work Act  
• Amended ‘The Agreement’ with Charles Darwin University and Union Enterprise Agreement 2013  
• Amended Contact Officer from Manager, Employee Relations, OHRS to Director, People and Capability  
• Added a Sponsor, Deputy Vice-Chancellor, Operations  
• Amended OHRS to Office of People and Capability |