

Special leave

Policy Number: C7 (QH-POL-231)

Publication date: June 2020

Purpose: To outline employee entitlements and conditions relating to special leave.

Application: This policy applies to all permanent, temporary, full-time and part-time Queensland Health employees.

This policy does not apply to employees of Queensland Ambulance Service. Instead, Queensland Ambulance Service employees are to refer to their local policy/procedure.

Casual employees may be entitled to unpaid special leave provisions, where stated in this policy.

Delegation: The 'delegate' is as listed in the relevant Department of Health Human Resource (HR) Delegations Manual, or Hospital and Health Services Human Resource (HR) Delegations Manual, as amended from time to time.

Legislative or other authority:

- *Anti-Discrimination Act 1991*
- *Commonwealth of Australia Constitution Act 1900 (Cth)*
- *Defence Reserve Service (Protection) Act 2001 (Cth)*
- *Disaster Management Act 2003*
- *Human Rights Act 2019*
- *Industrial Relations Act 2016*
- *Parliament of Queensland Act 2001*
- *Public Safety Preservation Act 1986*
- *Public Service Act 2008*
- PSC (IR) Directive 5/17- Special Leave
- PSC Directive 04/15 - Support for employees affected by domestic and family violence

Related policy or documents:

- Code of Conduct for the Queensland Public Service
- PSC Circular 03/14 Public sector employees contesting elections
- [Relinquishment of role HR Policy B43](#) (QH-POL-216)
- [Bereavement Leave HR Policy C11](#) (QH-POL-107)
- [Support for employees affected by domestic and family violence HR Policy C73](#) (QH-POL-391)

Policy subject:

1	Policy	3
1.1	Superannuation during leave without pay	3
2	Blood donation sessions	3
3	Cultural Leave.....	3



3.1	Eligibility and entitlement for cultural leave	3
3.2	Application for cultural leave	3
4	Declared state of emergency/disaster attendance	4
5	Domestic and family violence	4
6	Elections and local authority leave	4
7	Emergency attendance	4
7.1	Entitlement	4
8	Emergency management course attendance	5
8.1	Entitlement	5
9	Floods, cyclones, bushfires and storms.....	5
9.1	Entitlement and approval	5
10	Compassionate Leave	6
11	Interview attendance.....	6
12	Leave without pay in other cases	7
12.1	Entitlement	7
13	Overseas and Australian travel for private purposes.....	8
14	Pre-retirement planning seminars.....	8
15	Reserve forces training.....	8
15.1	Eligibility for defence reserve forces leave training.....	8
15.2	Entitlement to special leave for reserve forces training.....	9
15.3	Application for leave.....	9
15.4	Employer support payment scheme.....	9
16	Sporting competitions	9
16.1	Eligibility and entitlement.....	9
16.2	Conditions of approval	10
	Definitions:	10
	History:.....	10
Attachment One	Elections and local authority leave	

1 Policy

This policy is to be read in conjunction with specific Awards, Agreements, administrative arrangements and HR policies applying to occupational groups.

1.1 Superannuation during leave without pay

An employee taking special leave without pay may wish to contact QSuper or their nominated superannuation fund about the impact of their leave without pay on superannuation contributions and entitlements.

Information on the QSuper Superannuation Scheme is available from the QSuper website.

2 Blood donation sessions

An employee who attends blood donation collection sessions conducted by the Red Cross Society is entitled to special leave to attend the sessions.

Special leave to attend the sessions is subject to the following conditions:

- Employee attendance at blood donation sessions is subject to organisational convenience. If the time requested by the employee is not organisationally convenient, a suitable alternative time is to be negotiated.
- Special leave is granted on full pay and is not debited to any leave account.
- Blood donations are to be made at the nearest Red Cross blood donation centre.
- Blood donations may be made at any time during the normal working hours of the Red Cross blood donation centre.
- Blood donations are made as a voluntary commitment on the part of employees.
- Normal sick leave arrangements apply if an employee becomes sick during or following donating blood.
- Proof of attendance may be required.

3 Cultural Leave

Queensland Health recognises and values the cultural diversity and contribution of all employees. This part ensures that employees can observe days of cultural, ceremonial and/or religious significance.

3.1 Eligibility and entitlement for cultural leave

An employee who is required by their cultural, religious and/or ethnic background to participate in significant cultural, ceremonial and/or religious obligations is provided reasonable opportunity to do so by Queensland Health.

When attendance requires time away from work, an employee is entitled to access paid leave from their accrued annual recreational leave entitlement. An employee may alternatively elect to access up to 10 days (non-cumulative) unpaid special leave per annum.

3.2 Application for cultural leave

An employee is required to submit a completed leave application form (refer PARIS forms on QHEPS) to their manager stating the reason(s) for leave. The completed leave form is to indicate the type of leave being requested (i.e. paid recreation or unpaid special leave).

An employee is requested to provide as much notice as possible of intended leave. A minimum notice period of one week is required when applying for cultural leave.

For Aboriginal and Torres Strait Islander employees, cultural leave days may include (and are not limited to) tombstone openings, smoking of houses, initiation ceremonies, National Aborigines and Torres Strait Islanders Observance Day, Coming of the Light or other ceremonies deemed by the Elders to be significant.

Other employees may request cultural leave to attend ceremonies significant to their religious beliefs or cultural heritage.

Managers are to ensure all leave applications are handled in a sensitive, fair and reasonable manner. Applications are to be processed appropriately and the applicant advised of the approval for leave and the type of leave to be taken.

4 Declared state of emergency/disaster attendance

An employee who has been directed to assist in an emergency situation or a state of disaster in accordance with section 8 of the *Public Safety Preservation Act 1986* or part 4 of the *Disaster Management Act 2003* respectively, is to be granted leave in accordance with PSC Directive 05/17 - Special Leave.

Leave is granted on full pay as required and is not debited from any leave account.

Where an employee is not entitled to paid leave in an emergency situation or a disaster situation, they may still be entitled to unpaid 'emergency service leave' in accordance with the requirements of section 118 of the *Industrial Relations Act 2016*. Access to this unpaid leave is for a period that is 'reasonable in the circumstances'. Employees must advise their managers in writing and provide sufficient evidence to satisfy that the leave was taken because the employee was engaged in voluntary emergency management activity.

5 Domestic and family violence

Support, including a minimum of 10 days paid special leave, is available to eligible employees affected by domestic and family violence. Refer to Support for employees affected by domestic and family violence HR Policy C73 for information.

6 Elections and local authority leave

Queensland Health employees are entitled to contest local, state and federal elections. Refer to Attachment One for leave and other requirements associated with contesting elections.

7 Emergency attendance

An employee who is a member of the State Emergency Service (SES), voluntary member of a local fire fighting unit, member of a Rural Fire Brigade, auxiliary of a Fire Brigade, Honorary Ambulance Officer, St. John Ambulance volunteer or any other emergency service volunteer, e.g. Red Cross volunteer, will be granted leave when called out for emergencies or to fight fires in accordance with PSC Directive 5/17 – Special Leave.

7.1 Entitlement

Leave is subject to organisational convenience. Leave on full pay is not available for training purposes. Queensland Health is not responsible for payment of any travelling or other expenses which may be involved during the period of absence.

Leave on full pay not debited from any account is to be granted as required.

8 Emergency management course attendance

An employee who is selected to attend an emergency management course or seminar organised by the Australian Emergency Management Institute, Mt Macedon, Victoria or the SES may be granted leave to attend the course or seminar in accordance with PSC Directive 05/17 – Special Leave.

All leave is subject to organisational convenience and the employee providing documentary evidence of selection and attendance at the course or seminar.

8.1 Entitlement

An employee may be granted:

- leave necessary to attend an Australian Emergency Management Institute course
- up to a maximum of five non-cumulative working days per calendar year to attend an SES course.

Leave is granted on full pay and is not debited to any leave account. Queensland Health is not responsible for payment of travelling and other expenses involved during the employee's period of absence.

9 Floods, cyclones, bushfires and storms

An employee who is prevented from attending their normal place of employment because of floods, cyclonic disturbances, bushfires or severe storms may be granted leave on full pay not deducted from any leave account in accordance with PSC Directive 05/17 – Special Leave.

An employee is eligible for leave because of floods, cyclonic disturbances, bushfires or severe storms when:

- prevented from attending their normal place of employment and it is not practicable for them to attend for duty at another government office
- absent from their usual place of residence on approved leave or during a weekend and are unable to return in sufficient time to attend the normal place of employment or it is not practicable to attend duty at another government office
- required to return home before the usual ceasing time to ensure personal safety, the protection of their family and property or the availability of transport facilities which may be disrupted or discontinued because of weather or environmental conditions
- required, out of necessity, to remain at home to safeguard their family or property
- remaining at home to have temporary repairs effected, restore belongings, clean up etc.
- travelling on transfer and unavoidably delayed from arriving at the destination (an employee may also be allowed reasonable expenses necessarily incurred for accommodation and meals for the employee and their family).

9.1 Entitlement and approval

An employee is entitled to the following leave because of floods, cyclonic disturbances, bushfires or severe storms:

- When an employee's absence from duty is less than one working day, necessary leave may be granted for the absence.

- When absences from duty are taken as whole working days, up to a maximum of five non-cumulative working days may be granted per calendar year per reason.
- The Health Service Chief Executive (HSCE)/divisional executive (or delegate) may consider additional special leave on full pay in exceptional and deserving cases or when an employee is affected by more than one disaster in any one year.

Approval of leave is subject to the HSCE/divisional executive (or delegate) being satisfied that the absence is unavoidable or justified. When practicable, employees are to report for duty at another government office within the vicinity.

10 Compassionate Leave

An employee (other than a casual employee) is entitled to two days compassionate leave on full pay per occasion when a member of the employee's immediate family or household:

- contracts or develops a personal illness that poses a serious threat to the person's life or
- sustains a personal injury that poses a threat to the person's life.

A casual employee is entitled to two days unpaid compassionate leave per occasion.

An employee must provide sufficient evidence to satisfy a reasonable person that the employee was taking compassionate leave because a member of the employee's family or household's life was threatened by personal illness or personal injury.

An employee may take additional leave as unpaid compassionate leave if the employer agrees.

11 Interview attendance

An employee is granted time off to attend interviews during working hours as below. Alternatives such as recreation leave are only to be considered when the request for time off exceeds the parameters of these entitlements.

Location of role	Entitlement	Conditions
Within Queensland Health	<p>Reasonable time off not debited to any leave account to attend interview including travel and excluding preparation time.</p> <p>Reasonable travel costs to be met by interviewing facility/branch when the applicant is required by the panel to attend a face-to-face interview or other assessment, unless otherwise agreed.</p>	<p>Applicants are not to be excluded from consideration for short listing on the basis of possible interviewing costs.</p> <p>Alternatives are available to face-to-face interviewing such as telephone interviewing.</p> <p>If the applicant wants to attend a face-to-face interview and it is not required by the panel, the applicant is to meet all costs including the necessary time unless the interviewing facility/branch chooses to meet all or part costs.</p> <p>The time of attendance for interviews is subject to negotiation between the applicant and the manager having regard</p>

Location of role	Entitlement	Conditions
		to work demands and the panel's time frame.
Another Queensland Government department or Queensland Government Statutory Authority	Time off not debited to any leave account to attend interview including travel and excluding preparation time. Travel costs to be met by interviewing department unless otherwise agreed.	
Local government	Nil	
Commonwealth Government departments And agencies	Nil	
Other state government departments and agencies	Nil	
Private sector	Nil	

12 Leave without pay in other cases

An employee may be granted leave of absence without pay for a particular purpose (not provided for in any other provision) by the HSCE/divisional executive (or delegate). The leave of absence without pay is subject to any directives, determinations or rulings made from time to time in accordance with PSC Directive 05/17 – Special Leave.

The following conditions apply to the granting of leave of absence without pay:

- The granting of leave is subject to organisational convenience.
- When the special leave without pay is for a period of greater than 12 months the delegate may approve, in exceptional circumstances, an employee to relinquish their substantive role in accordance with Relinquishment of role HR Policy B43 or local HHS policy.
- The employee is required to use all long service leave and recreation leave due at the time of proceeding on special leave of absence without pay.
- The HSCE/divisional executive (or delegate) may as a result of organisational requirements:
 - recall an employee from special leave
 - cancel the approval or granting of any special leave
 - or
 - defer the taking of the special leave.

12.1 Entitlement

Leave of absence without pay may be approved for any minimum or maximum period determined by the HSCE/divisional executive (or delegate). Refer to section 13 regarding the maximum period of absence for the purpose of private traveling.

A maximum period of up to two years applies to service overseas with the Australian Volunteers International.

13 Overseas and Australian travel for private purposes

An employee may be granted up to three years special leave of absence without pay to travel within or outside Australia for private purposes subject to the following conditions:

- The granting of leave is subject to organisational convenience.
- The employee is required to use all long service leave and recreation leave due at the time of proceeding on special leave of absence without pay.
- The total period of absence at any one time is not to exceed three years.
- Evidence of proposed overseas travel is to be provided (if appropriate).
- Certification of proposed travel within Australia is to be provided (if appropriate).
- Leave is not for the purpose of short organised tours of less than six weeks' duration.

The granting of leave is not affected by any travel commitments made by employees (e.g. bookings) before the approval of the leave. Employees are to ensure that leave is approved before making booking commitments.

If an employee completes their travel arrangements before the expiration of the period of special leave without pay, they are to arrange to resume duty as early as practicable at the convenience of Queensland Health. The employee is to also cancel any balance of special leave of absence without pay that is not required.

14 Pre-retirement planning seminars

An employee who attends a pre-retirement planning seminar may be granted leave to attend the seminar in accordance with PSC Directive 05/17 – Special Leave. The following conditions apply to the granting of leave to attend pre-retirement planning seminars:

- The granting of leave is subject to organisational convenience.
- Employees are granted the necessary special paid leave from their work location for their attendance at the seminar (including travelling time to and from the nearest centre at which the seminar is conducted).
- Travel, accommodation and other expenses are the responsibility of the employee.
- Special leave is not to be granted when an employee chooses to attend a seminar during recreation leave or long service leave.

QSuper provides pre-retirement seminars for its members.

15 Reserve forces training

15.1 Eligibility for defence reserve forces leave training

An employee who is a member of the Reserve Forces is to be granted leave (in accordance with PSC Directive 05/17 – Special Leave) on full pay for:

- attendance at continuous training which includes camps, field exercises, schools, classes or courses and may involve more than one absence in a financial year and/or for deployment situations
- travel from their place of residence and return for attendance at continuous training
- participation in an advance or rear party in connection with a period of continuous training.

15.2 Entitlement to special leave for reserve forces training

Special leave for reserve forces training is to be granted up to a **maximum** of 32 calendar days per financial year for Army Reserve, Naval Reserve and Air Reserve, plus an additional 14 calendar days per financial year during the employee's first year of reserve service when attending recruit/initial training. The maximum number of days includes Saturdays and Sundays.

Up to a maximum of four days per financial year may also be granted for:

- travel from the employee's place of residence and return to attend continuous training or
- participation in an advance or rear party in connection with a period of continuous training.

15.3 Application for leave

At least three months' notice prior to commencement of leave is to be provided when possible.

Evidence of the necessity for the employee's attendance for continuous training and proposed length of reserve service in the form of a training or deployment notice is to be submitted with the employee's application. The employee is to submit a certificate of attendance from the commanding officer after the conclusion of the event.

The *Defence Reserve Service (Protection) Act 2001* at section 17 states that "an employer must not hinder or prevent a person in the employer's employment from volunteering to render defence service or rendering defence service". When a requirement for an employee Reservist to undertake defence service (which includes training) causes serious difficulties for a department or agency, the department or agency should request the Australian Defence Service to identify alternative dates for the defence service.

Additional leave for travel or to participate in an advance or rear party is subject to certification by the commanding officer that the additional days are required.

15.4 Employer support payment scheme

As a means of recognising the efforts of employers who release employees for reserve service, an employer's support scheme has been introduced which provides direct financial benefits to HHSs/Department that employ reservists. The scheme is known as the Australian Defence Force (ADF) Reserves Employer Support Payment Scheme (ESPS).

The scheme, which came into effect from 5 June 2001, provides financial assistance to employers who support the absence of their employees for reserve service and, as a result, incur workplace disruption and additional costs. ESPS payments are made at a set weekly rate equivalent to the average weekly full-time adult earnings. A pro-rata payment may be made for part-time employees.

For further information, and to obtain a copy of the ESPS claim form, visit the Reserves website at www.defencereservessupport.gov.au.

16 Sporting competitions

16.1 Eligibility and entitlement

An employee may be granted leave for sporting competitions, in accordance with PSC Directive 05/17 – Special Leave, if they are selected as:

- a competitor, team manager or team coach of a state or national team participating at a major national or international sporting competition, or
- an umpire or referee at those competitions.

The term competitor includes reserve competitors. Single competitors selected in events such as the marathon are included in the category of state or national team.

An employee may be granted up to a maximum of five working days paid leave per calendar year (non-cumulative) for the purpose of:

- participation
- necessary travel to and/or from the competition
- mandatory periods of training.

An employee who is selected as a competitor or official at the Olympic Games, Commonwealth Games or International Games for the Disabled, may be granted leave for the games. The period an employee is required to be absent from duty to permit their attendance at the games is to be granted.

16.2 Conditions of approval

The following conditions apply to the granting of leave for sporting competitions:

- The granting of leave is subject to organisational convenience.
- The employee producing documentary evidence of selection by the recognised governing body and the period when participation of the employee is required.
- The major sport being one which has at least a registered minimum membership in Australia of 20,000 or is listed as a recognised sporting event at the Olympic or Commonwealth Games (the requirement for a minimum membership of 20,000 is waived in the case of disabled employees).

Definitions:

Full pay	Means the employee's ordinary rate of pay and is inclusive of any fixed allowances that are part of the regular fortnightly pay, excluding shift penalties and consolidated shift allowance payments.
----------	---

History:

June 2020	<ul style="list-style-type: none"> • Policy: <ul style="list-style-type: none"> – formatted as part of the HR Policy review – amended to update reference – application amended as a result of changes to the Hospital and Health Boards (Changes to Prescribed Services) Amendment Regulation 2019.
October 2018	<ul style="list-style-type: none"> • Policy formatted as part of the HR Policy review • Policy amended to: <ul style="list-style-type: none"> – update references and naming conventions – reflect applicable revised PSC Directive 05/17 Special Leave provisions, effective 1 March 2017 – include reference to support for domestic and family violence – include compassionate leave provisions – move elections and local authority leave information to Attachment One.

January 2011	<ul style="list-style-type: none">• Amended section 12 to reflect eligibility for other emergency service volunteers.
December 2009	<ul style="list-style-type: none">• Amended to reflect updated Directive 18/09 – Special Leave effective 30 November 2009.
July 2008	<ul style="list-style-type: none">• Amended to reflect Public Service Act 2008.
April 2008	<ul style="list-style-type: none">• Developed as a result of the HR policy consolidation project.

Managing the risk of psychosocial hazards at work
Code of Practice 2022
applies 1 April 2023

Attachment One – Elections and local authority leave

1 Elections and local authority leave

Queensland Health employees, like other members of the community, are entitled to contest local, state and federal elections. Intending election candidates are not required to resign from Queensland Health to contest a local or state government election. In most cases, it is necessary for intending election candidates to resign from Queensland Health to contest a federal election. Refer to PSC Circular 03/14 for further information.

1.1 Contesting an election

1.1.1 Local government elections

There is no objection to any employee accepting nomination for election to a local government council and there is no need for employees of Queensland Health to resign to contest a local government election.

Employees are to advise their Health Service Chief Executive (HSCE)/Director-General if they are nominating for:

- local government elections as candidate for mayor or chair or
- as candidate for a member of council.

1.1.2 State elections

There is no need for employees of Queensland Health to resign to contest a state election. The PSC Circular 03/14 provides that an employee who is successful automatically vacates their public sector employment from the time they are appointed as a member of parliament.

1.1.3 Federal elections

Section 44 of the *Commonwealth of Australia Constitution Act 1900* (the Constitution) requires a state public sector employee to resign from public employment before contesting an election for a seat in federal parliament. The Australian Electoral Commission (AEC) has advised that in order to comply with the Constitution candidates should resign their public employment prior to nominating for election. The latest acceptable date to resign is to be the date of formal nomination with the AEC as a candidate for a federal election (the issue of the date of resignation is strictly a candidate's concern and not that of Queensland Health).

1.2 Leave to contest elections (campaign leave)

1.2.1 State elections and local government elections

An employee contesting an election is to be granted leave for campaigning purposes in accordance with PSC Directive 05/17 - Special Leave. This leave is granted on the basis of a total period not exceeding two months. Paid leave credits (i.e. accrued recreation leave or long service leave) may be used. Otherwise special leave is granted without salary.

State elections

Intending candidates for elections may take leave at any time prior to the election. However, section 66 of the *Parliament of Queensland Act 2001*, states that when a public sector employee becomes a candidate for election to the Assembly, they **must** be absent on leave (either paid or unpaid) for the duration of the election. The election period commences when a person becomes a candidate and ceases when the election outcome is declared. A person becomes a candidate when the names of persons properly nominated for election are displayed at the returning officer's office.

Local elections

An employee wishing to contest a local government election is to be granted leave for campaigning purposes.

1.2.2 Federal elections

The AEC has advised that in order to comply with the Constitution candidates are to resign their public employment prior to nominating for election.

1.3 Reinstatement of unsuccessful election candidates

1.3.1 State and local government elections

An employee of Queensland Health is not required to resign to contest a state or local government election. However, in the case where an employee does resign and is unsuccessful in the election, the employee is entitled to reappointment on the same conditions as provided for under the *Public Service Act 2008* as employees who resign to contest a federal election (refer to section 1.3.2 below).

1.3.2 Federal elections

Section 130 of the Public Service Act provides for reappointment of an employee who resigns from a permanent position to contest a federal election, and who was unsuccessful.

Application in writing for reappointment is to be made by the former employee/defeated candidate **within three months** after the return of the election writ.

The Director-General (or delegate) may reappoint the former employee to their role previously vacated, or to any other role with the State having the same or lower classification level.

1.3.3 Continuity of service

Section 132 of the Public Service Act provides continuity of service of an employee reappointed after unsuccessfully contesting an election. Service is deemed to not be broken by the resignation. The period during which the employee was not employed is not to be taken into account in calculating aggregate continuous service.

1.4 Permanent part-time employees

Special leave is granted on a proportionate basis of the entitlements applicable to full-time employees with the exception of election leave (campaign leave). Campaign leave is granted on a calendar basis.

1.5 Intending election candidates to seek advice

Intending state or local government election candidates are to seek specific advice from their local HR unit about taking leave before contesting a state or local government election.

Intending federal election candidates are to seek specific legal advice about the requirements for resignation (in the Commonwealth Constitution and other legislation) before contesting a federal election.

1.6 Code of conduct requirements

The conduct of Queensland Health employees who are political candidates is required to conform to the standards outlined in the Code of Conduct for the Queensland Public Service. The Code of Conduct recognises that employees of Queensland Health have the right to undertake party political activity, provided it is conducted in a private capacity, and in private time. The political rights of all Queensland citizens are protected by the *Anti-Discrimination Act 1991* and protection against unlawful discrimination includes Queensland Health employees.

Party political activity by employees may have the potential to cause concern about the professional integrity of individuals and Queensland Health. The Code of Conduct requires that Queensland Health employees provide conscientious service to the elected government of the day, irrespective of their personal political allegiance. Employees are expected to exercise care in ensuring that particular political activities (e.g. holding office in a party, or being a member of a party committee) do not give rise to a conflict with official duties.

In considering whether a particular political activity involves a possible conflict of interest, the facts of each case are to be considered, and a reasonable assessment is to be made as to the extent of any specific conflict. Relevant factors may include the personal integrity of the employee concerned, and the powers and duties of the employee's role.

A potential conflict of interest may be resolved satisfactorily by an appropriate rearrangement or reassignment of the employee's duties.

It is expected that Queensland Health employees intending to become election candidates arrange their campaign activities to avoid any appearance that their campaign is being supported through their employment with Queensland Health.

1.7 Timing of resignation and campaign leave

The timing of a resignation (for a federal election), or taking campaign leave (for a state or a local government election) requires careful consideration.

Intending candidates for elections may resign or take leave at any time prior to the election (noting that special leave is available for a maximum of two months as indicated in section 1.2).

The latest acceptable date to resign or take leave is to be either:

- the date of formal nomination with the Australian Electoral Commission as a candidate for a federal election (the issue of the date of resignation is strictly a candidate's concern and not that of Queensland Health)
or
- the date when a candidate for a state or local government election cannot meet the obligation to perform their employment duties because of active campaigning (including obligations under the Queensland Health Code of Conduct to avoid conflicts of interest).

1.8 Mayor of category three or higher council, or as councillor of a category five or higher council

An employee can no longer hold full-time public sector employment if they are elected as mayor of a category three or higher council, or as a councillor of a category five or higher council.

The categories are taken from the remuneration levels issued by the local government remuneration tribunal, and encompass mayors on a salary of \$69,610 or more and councillors on \$60,120 or more. This means the requirement is to apply to a public servant elected as a councillor on 16 of Queensland's 77 councils, or as a mayor of one of 38 councils.

1.9 Leave for successful candidate in local government elections

An employee who is successful at a local government election in other categories as listed in section 1.8, may be granted local authority leave in accordance with PSC Directive 05/17 – Special Leave.

1.9.1 Local authority leave

An employee who has been elected to hold office as mayor, chair or member of a council, is granted special leave for attendance at council meetings or for undertaking council business.

1.9.2 Special leave on full pay

Employees elected as mayor or chair

Up to a maximum of five working days special leave on full pay per calendar year (non-cumulative) is granted.

Employees elected to other positions

Up to a maximum of three working days special leave on full pay per calendar year (non-cumulative) is granted.

1.9.3 Special leave without salary

Additional leave may be granted as required. Leave in connection with mayoralty, chairpersonship, statutory meetings, etc. is to be approved by the Director-General (or delegate).

Local authority leave is subject to the following conditions of approval:

- An employee who has been granted special leave on full pay to attend council meetings or council business and receives payment, is to submit the payment to Queensland Health.
- When the salary of the employee is less than the amount received for the time spent on council business, the employee is entitled to retain the difference between the salary and the amount paid by the council.
- When determining the amount paid by the council, expenses for travel and accommodation are not to be taken into account.
- When an absence may cause disruption to transport or essential services, the granting of leave is subject to approval (including the consideration of organisational needs).

The above conditions do not apply to employees elected as full-time councillors, and who are paid a salary for holding such office.

1.10 Leave entitlement for returning officers and other polling officials

1.10.1 State elections

An employee appointed as a returning officer at a state election may be granted leave in accordance with PSC Directive 05/17 – Special Leave.

Reasonable special leave on full pay not chargeable to any leave account may be granted to returning officers to undertake their electoral duties. The granting of special leave is at the discretion of the HSCe/divisional executive.

1.10.2 Federal elections, State and local government elections

An employee who acts as a polling official is granted special leave and has the option to take accrued recreation leave or leave without pay.

Managing the risk of psychosocial hazards at work
Code of Practice 2022
applies 1 April 2023