Carer’s Leave

Policy Number: C9 (QH-POL-109)
Publication date: June 2020
Purpose: To outline carer’s leave entitlements and related processes.
Application: This policy applies to all Queensland Health employees.
Delegation: The ‘delegate’ is as listed in the Department of Health Human Resource (HR) Delegations Manual and the Hospital and Health Services Human Resource (HR) Delegations Manual – HRM Functions of the Director-General, as amended from time to time.

Legislative or other authority:
- Family Leave (Queensland Public Sector) Award – State 2012

Related policy or documents:
- Parental Leave HR Policy C26 (QH-POL-187)
- Sick Leave HR Policy C64 (QH-POL-230)
- Annual/Recreation Leave HR Policy C51 (QH-POL-100)
- Overtime HR Policy C60 (QH-POL-185)

Policy subject:

1 Policy statement........................................................................................................................................2
1.1 Use of sick leave........................................................................................................................................2
1.2 Unpaid leave for caring purposes........................................................................................................2
1.3 Recreation leave..........................................................................................................................................2
1.4 Time off in lieu of payment for overtime..............................................................................................3
1.5 Make up time............................................................................................................................................3

Definitions: ..................................................................................................................................................3

History:.......................................................................................................................................................3

SCHEDULE ONE Additional requirements
1 Policy statement

Queensland Health recognises that achieving a balance between work and family responsibilities contributes to employee job satisfaction and effectiveness. Employees are therefore able to use sick leave, unpaid leave, recreation leave or time off in lieu of overtime when they need to care for members of their immediate family or household.

The Parental Leave HR Policy C26 outlines entitlements to maternity, spousal (paternity) and adoption leave consistent with Queensland Health’s support for family friendly practices. The provisions of the HR Policy C26 are either equal or superior to the provisions of the Family Leave (Queensland Public Sector) Award – State 2012.

1.1 Use of sick leave

An employee is entitled to use any sick leave entitlement which accrues after 1 July 1995 for absences to provide care and support for members of their immediate family or household who need their care and support if they are ill.

The entitlement to use sick leave for this purpose is subject to:

- the employee is responsible for the care of the person concerned
- the person concerned is either a member of the employee’s immediate family or a member of the employee’s household.

1.2 Unpaid leave for caring purposes

An employee may elect, with the consent of Queensland Health, to take unpaid leave for the purpose of providing care to a family member who is ill.

Casual employees may leave work or be unavailable to attend work for up to two (2) days each time the employee needs to care for and support members of the employee’s immediate family or household:

- when they are ill; or
- because an unexpected emergency arises; or
- because of the birth of a child.

A decision must not be taken to not re-engage a casual employee only because they have taken carer’s leave.

1.3 Recreation leave

An employee may elect, with the consent of Queensland Health, to take annual/recreation leave not exceeding five days in any calendar year at a time or times agreed between the parties for the purpose of caring for members of their immediate family or household.

Access to recreation leave is exclusive of any shutdown period provided for under the employee’s Award.
1.4 Time off in lieu of payment for overtime

An employee may elect, with the consent of Queensland Health, to take time off in lieu of payment for overtime at a time or times agreed with Queensland Health for the purpose of caring for members of their immediate family or household.

Overtime taken as time off during ordinary time hours shall be taken at the ordinary time rate i.e. one hour of time off in lieu for each hour of overtime worked.

This section does not limit or detract from any provision in an award or industrial agreement dealing with time off in lieu of overtime which existed on or before 23 May 1995.

1.5 Make-up time

An employee may elect, with the consent of Queensland Health, to work 'make-up time'. Under this arrangement:

- the employee takes time off during ordinary hours for the purpose of caring for members of their immediate family or household
- works those hours at a later time (during the spread of ordinary hours provided in the employee’s Award) at ordinary rates.

Definitions:

<table>
<thead>
<tr>
<th>Immediate Family</th>
<th>“Immediate family” includes:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• An employee’s spouse including a former spouse.</td>
</tr>
<tr>
<td></td>
<td>• A de facto spouse or former de facto spouse, including a spouse of the same sex as the employee.</td>
</tr>
<tr>
<td></td>
<td>• A child (including an adult child, an adopted child, a foster child, a step-child or an ex-nuptial child), parent, grandparent, grandchild or sibling of the employee or spouse of the employee.</td>
</tr>
</tbody>
</table>

History:

<table>
<thead>
<tr>
<th>Date</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 2020</td>
<td>• Policy application amended as a result of changes outlined in the Hospital and Health Boards (Changes to Prescribed Services) Amendment Regulation 2019.</td>
</tr>
<tr>
<td>May 2014</td>
<td>• Policy formatted as part of the HR Policy Simplification project</td>
</tr>
<tr>
<td></td>
<td>• Policy amended to update references and naming conventions</td>
</tr>
<tr>
<td>Previous</td>
<td>• IRM 11.7-6 Leave – Carer’s</td>
</tr>
</tbody>
</table>
Carer’s Leave – Schedule One – Additional requirements

The following information is provided as the minimum mandatory standard practice, procedure or process to enable satisfactory compliance with this Queensland Health HR policy.

Local guidelines/procedures may be developed to facilitate implementation of this policy. Any local guidelines/procedures must be consistent with this policy and standard practice and ensure employee entitlements continue to be met.

1. Notification of absence

Managers are to ensure that employees are aware of the notification arrangements for unscheduled absences including:

- the person to be notified of the absence
- the timeframe for the notification of the absence
- the information to be provided by the employee i.e. the reason for the absence and the likely duration of the absence
- any other information required by the relevant award.

Employees are to notify Queensland Health of any unscheduled absence in accordance with the notification arrangements applying to their work unit.

2. Additional requirement for carer’s leave

Prior to the absence of the intention to take leave the employee is to, wherever practicable, provide:

- the name of the person requiring care and their relationship to the employee
- the reasons for taking such leave and the estimated length of absence.

3. Medical certificate

An employee is, if required, to provide a medical certificate or statutory declaration to show that the person concerned is ill.