

# Personal Leave Guideline

This resource provides answers to common questions and issues about personal leave.

## What is it?

This resource will help you find answers to common questions about personal leave, which is the leave we provide to support you when you are ill or injured, or when you need to care for certain loved ones who are ill or injured or experiencing an emergency.

## Who is this for?

All employees of RMIT University employed on a fixed term or continuing basis.

## 1. When am I entitled to take paid personal leave?

You're entitled to take paid personal leave if:

- you are ill or injured;
- you need to provide care or support to a member of your immediate family or household who is ill or injured; eldercare responsibilities or as a carer of a person with a disability; or
- you need to provide care or support to a member of your immediate family or household who is experiencing an unexpected emergency.

If you arrange a medical appointment in advance, rather than at short notice, you are entitled to use your personal leave for the purpose of attending the medical appointment. However, we ask that you schedule such appointments at a time that minimises your absence from the office.

If you have contracted a notifiable infectious disease or are placed in isolation by a registered medical practitioner, then you may not have to use your paid personal leave for this – refer to the enterprise agreement which covers details of when you might be eligible for paid isolation leave. We've included links below.

### Gender Affirmation entitlements

An employee who is affirming their gender is entitled to up to 30 days special leave (based on the employee's ordinary hours of work; pro rata for part-time employees) over the course of their employment in addition to annual and personal leave entitlements, for the purpose of attending medical appointments, recovering from medical procedures, undertaking legal processes relating to their gender affirmation or any similar activity directly related to the gender affirmation process. This leave may be taken consecutively, single or part days (as agreed between the employer and the employee), and with reasonable notice provided to the employee's manager. This may include but is not limited to:

- a medical appointment for hormone replacement therapy and/or associated prescriptions;
- medical procedures as part of the gender affirmation process;
- medical appointments to receive a medical certificate, to be used for the legal change of gender process;
- other appointments related to the gender affirmation process (such as therapy and/or counselling appointments); and
- recovery periods following medical procedures, hormone replacement therapy or other related appointments.

To process Gender Affirmation leave, employees need to submit a service request to People Connect who will enter the leave into WorkDay on behalf of the employee and can assist with any inquiries. RMIT may on occasion require supporting documents and will advise staff of this where this is needed.

## 2. How much paid personal leave do I get?

If you're a full-time employee, you receive 15 days of personal leave per service year. This is usually credited upfront at the start of a service year (although for some employees, there will be an upfront credit in the first service year with personal leave then accruing cumulatively throughout subsequent service years (check your agreement or award for more information). If you're a part-time employee, you receive a pro-rata of this amount, also usually credited upfront at the start of a service year in the first year (and then sometimes cumulatively for subsequent service years – check your agreement or award for more detail). Leave that has not been taken accumulates from year to year.

## 3. Am I entitled to unpaid personal leave to care for a member of my immediate family or household if I don't have any paid personal leave or have used it all up?

All employees, including casual employees, are entitled to take up to 2 days of unpaid leave for each occasion they need to care for a member of their immediate family or household who is ill or injured, or who has experienced an emergency. Prior to accessing this leave, you must first have exhausted any paid entitlement to personal leave.

## 4. How do I go about taking personal leave?

Please notify your manager to let them know you need to take personal leave, providing an estimate of how long you will need if possible. Where practicable, we want you to notify your manager within three hours of commencing leave. Your manager will advise you as to the appropriate form of notification.

You will also need to submit an application for personal leave in the leave system as soon as practicable. If you are unable to do so, your manager may request the People Team to process the leave application on your behalf.

## 5. What kind of evidence do I have to provide when taking paid personal leave?

If requested you will need to provide a certificate from a treating registered medical practitioner, and if you can't provide appropriate proof your leave period may be treated as unpaid leave. Check the enterprise agreement that applies to your employment for more detail about providing evidence of your entitlement to paid personal leave.

## 6. Do I need to prove I am fit enough to return to work after a period of illness or injury?

Typically, you will not be required to provide any evidence of being fit to return to work if you have been away due to illness or injury for a period of less than 2 weeks. If however your absence was greater than 2 weeks or in certain circumstances you may be required to provide some kind of certification from your treating practitioner or sometimes attend an Independent Medical Examination prior to returning to work. Your manager or your Health and Safety Coordinator will let you know. If requested to supply a fitness for work certificate, you may not return to the workplace until you have supplied evidence of your fitness to work.

## 7. What happens if I get sick while I am on other leave?

If you become ill or injured during a period of other paid leave, you are entitled to have that leave re-credited and an equivalent amount of paid personal leave deducted, so long as you provide appropriate evidence of your illness or injury.

## 8. What happens to my personal leave when I stop working for RMIT?

You are not entitled to be paid out your personal leave balance upon termination of employment.

## 9. Who counts as a 'member of my immediate family'?

A 'member of an employee's immediate family' means (unless a relevant enterprise agreement contains a different definition): their partner, child, parent, grandparent, grandchild or sibling of the employee's partner. The definition includes step-relatives (such as step-parents and step-children). The definition is inclusive of rainbow families and staff who identify as LGBTQ+.

An Aboriginal or Torres Strait Islander employee's 'immediate family' also includes a person with whom they have a kinship relationship.

## 10. More information

- Contact People Connect via [ServiceConnect](#)

## Document history

Version	Effective date	Authority	Author
1.0	11 March 2021	Leave and Public Holidays Policy	Director, Policy & Workplace Relations
2.0	19 December 2023	Leave and Public Holidays Policy	Diversity & Inclusion Policy & Workplace Relations