

# Annual Leave Guideline

## What is it?

This resource will help you find answers to common questions about annual leave.

## Who is this for?

All continuing or fixed-term employees of RMIT University covered by the:

- *RMIT University Enterprise Agreement 2018 (University Agreement)*;
- *RMIT Vocational Education Workplace Agreement 2019 (VE Agreement)*;
- *RMIT University Children's Services Enterprise Agreement 2017 (Children's Services Agreement)*; and
- *Royal Melbourne Institute of Technology Senior Executive Staff Enterprise Agreement 2006 (SES Agreement)*.

## 1. Am I entitled to annual leave?

If you are a continuing or fixed-term employee covered by the University Agreement, VE Agreement, Children's Services Agreement or SES Agreement, you are entitled to annual leave.

## 2. How much annual leave do I get?

If you are entitled to annual leave, you get 20 days of annual leave each year (which is pro-rated if you're part-time). Annual leave accrues progressively throughout each year and rolls over to the next year if you do not take the leave and continue working for RMIT. Your annual leave is not credited upfront at the start of a service year.

If you are a shift-worker, your entitlement might be greater than 20 days. Please speak with People Connect about your annual leave entitlement.

## 3. How do I go about taking annual leave?

RMIT expects you to take your annual leave in the year that it is accrued, unless you are covered by the SES Agreement.

Annual leave should be taken at a time that is agreed between you and your manager, provided you are entitled to take the leave in a single continuous period. RMIT will take into consideration the employee's wishes and RMIT's operational requirements.

After you and your manager have agreed the period that you will be taking annual leave, you should enter it in Workday.

If you are a fixed-term employee, RMIT may direct you to take your full annual leave entitlement during the term of your contract.

#### 4. What happens if I'm on annual leave and there's a public holiday?

If a public holiday, which is listed in the Agreement which covers you falls during a period of annual leave, that day of annual leave will not be deducted. Workday will reflect the public holidays to avoid these being deducted from annual leave balances.

#### 5. Do I get annual leave loading?

If you are covered by the University Agreement or the SES Agreement and you have accrued four weeks of annual leave as at 30 November, you will receive an annual leave loading of 17.5% of four week's salary up to a maximum pro-rata amount equivalent to the Commonwealth Statistician's average weekly total earnings of all males in Australia for the most recently available quarterly data. The loading will be paid on the first pay day in December or on the date of termination of your employment, as applicable.

If you are covered by the VE Agreement, you will receive an annual leave loading of 17.5% of four week's ordinary time earnings for the period 1 December to 30 November, pro-rated if you work part-time or for only part of the period. The loading will be paid on the first pay day in December or on the date of termination of your employment, as applicable.

If you are covered by the Children's Services Agreement, you will receive an annual leave loading of 17.5% of four weeks' salary per year as the leave is taken throughout the year.

#### 6. Can RMIT direct me to take annual leave?

If you are a fixed-term employee, RMIT may direct you to take your full annual leave entitlement during the term of your contract.

If you are a continuing staff member and have an Excess Annual Leave balance, you may be directed to take annual leave as per the agreement definitions.

If you are covered by the University Agreement or VE Agreement:

- You will receive a notification from RMIT if your annual leave balance exceeds 25 days – this is considered Excess Annual Leave
- Within 20 days of receiving this notification, you must submit a leave plan to your supervisor that reduces your leave balance to 20 days or less. This plan will not be unreasonably refused;
- If you and your supervisor cannot reach agreement or you fail to submit a leave plan, RMIT will direct you take any leave you have accrued over 20 days on dates nominated by RMIT.

If you are covered by the Children's Services Agreement:

- You will receive a notification from RMIT if your annual leave balance exceeds 40 days – this is considered Excess Annual Leave;
- Within 20 days of receiving this notification, you must submit a leave plan to your supervisor that reduces your leave balance by up to one quarter of the leave accrued;
- If you and your supervisor cannot reach agreement or you fail to submit a leave plan, RMIT will direct you take up to one quarter of the leave accrued on dates nominated by RMIT.

If you are covered by the SES Agreement:

- You will receive a notification from RMIT if your annual leave balance exceeds 40 days – this is considered Excess Annual Leave;
- Within 20 days of receiving this notification, you must submit a leave plan to your supervisor that reduces your leave balance by up to one quarter of the leave accrued; and
- If you and your supervisor cannot reach agreement or you fail to submit a leave plan, RMIT will direct you take up to one quarter of the leave accrued on dates nominated by RMIT.

## 7. Can I get paid out my annual leave without actually taking it (i.e. 'cash it out')?

If you are covered by the University Agreement and the VE Agreement and have accrued more than 40 days of annual leave, you and RMIT may agree, in writing, to cash out a particular amount of accrued annual leave provided that:

- Your accrued leave balance must not be less than 25 days; and
- You submit a leave plan for you to take at least ten of your remaining annual leave balance.

You can only cash out leave once in any 12 month period and each time you cash out annual leave you must make a separate agreement.

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

RMIT will pay the balance of any accrued but unused annual leave when your employment ends.

## 9. Do I need to use my annual leave during the end of year closedown?

If you are covered by the University Agreement, Children's Service Agreement or the SES Agreement you will be entitled to paid leave for the days that RMIT's premises are closed between Christmas Day and New Year's Day and leave will not be deducted from your annual leave balance.

If you are covered by the Children's Agreement you may be directed to take up to ten days of annual leave before Christmas Day and/or after New Year's Day.

## 10. More information

- Find your agreement or award here: [Enterprise Agreements and Bargaining](#)
- Apply for leave in Workday
- For further information or to log a ticket, contact [People Connect](#)

## Document history

<b>Version</b>	<b>Effective date</b>	<b>Authority</b>	<b>Author</b>
1.0	16 October 2023	Leave and Public Holidays Policy	Policy & Workplace Relations