



# Mount Eden Normal

## PRIMARY SCHOOL

Te Whare Akoranga o Maungawhau

**POLICY**

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### *Staff Leave*

#### **Rationale**

Staff receive leave entitlements as set out in the collective agreement or Individual Employment Agreement associated with their role, subject to the Holidays Act, 2003.

#### **Purpose**

This Policy sets out expectations for the management of leave entitlements and discretionary leave requests made by staff to ensure compliance with relevant legislation, employment agreements and a fair and equitable consideration of discretionary leave requests, and to provide clarity for the Board and teaching staff on school requirements for teaching staff to be available on school site during days the school is open (including notified call-back days and Teacher Only Days).

#### **Definitions**

*IEA* refers to an Individual Employment Agreement. *CA* refers to Collective Agreements. *Discretionary Leave* is any leave (paid or unpaid) requested and/or granted by the Principal, in line with the provisions of relevant employment agreements.

#### **Types of Leave**

Types of leave that may be applicable, subject to the provisions of Collective or Individual Agreements, include;

- Sick leave
- Parental leave
- Study and sabbatical leave
- Refreshment leave
- Paid discretionary leave
- Unpaid discretionary leave

Employment agreements may also allow for bereavement leave, and leave to;

- compete in sports events;
- attend cultural events;
- care for family members, or;
- participate in significant family ceremonies

### **1. Requirements - General:**

- 1.1. Leave entitlements will be administered as set out in the employee's CA or IEA. Staff should consult the relevant collective agreement or Individual Employment Agreement prior to submitting any leave application
- 1.2. Except in cases of sickness, accident or unforeseen emergency, no staff member shall be absent without prior authorisation from the Principal or Board of Trustees
- 1.3. As employer, the Principal and/or Board may reasonably request an explanation for any absence from work
- 1.4. After three days of sick leave, a medical certificate must be produced
- 1.5. The board will not consider any requests to cash-up annual holidays

### **2. Sick Leave:**

- 2.1. Sick leave is not a contingency to be used for any other purposes other than illness or dependant's leave
- 2.2. Stress or mental-health related leave requires a supporting medical certificate
- 2.3. Leave will be charged against sick leave where it covers accident or illness of the staff member and/or a close family member. A close family member is as defined as a spouse, partner, child, sister, brother, parent, grandparent, grandchild, kaumatua, mokopuna, tamaiti, whangai, matua whangai, near relative, near relative-in-law, a family member who is dependent on the employee
- 2.4. The paid period allocated will be dependent on the employee's sick leave entitlement

### **3. Discretionary Leave:**

- 3.1. No staff member is entitled to discretionary leave as of right

- 3.2. The Principal has delegated authority from the Board to approve discretionary leave applications, with or without pay, for a period of up to 5 days
- 3.3. All staff discretionary leave applications must be made in writing, using the school's Staff Leave Form, including the reason/purpose of the requested leave
- 3.4. All applications for discretionary leave (with or without pay) up to 5 days will be at the discretion of the Principal, with due consideration given to relevant contracts. The Principal may approve/deny the leave request or offer discretionary leave for a shorter period than requested if circumstances warrant
- 3.5. All applications for discretionary leave (with or without pay) over 5 days (cumulatively within a calendar year) will be at the discretion of the Board, with due consideration given to relevant contracts. The Board may approve/deny the leave request or offer discretionary leave for a shorter period than requested if circumstances warrant
- 3.6. Requests for discretionary leave for personal trips outside of holiday periods will not be considered if presented on imminent departure and without sufficient time to consider the request
- 3.7. Granting of leave does not presume further leave expectations in the future will be granted, nor does it set a precedent for other leave applications. All applications will be considered on their merit and subject to the requirements of this policy
- 3.8. All decisions will be made in a manner that is consistent, fair and equitable, taking into account the requirements of the Policy and the criteria set out below
- 3.9. When considering discretionary leave requests, the following criteria will be considered;
  - 3.9.1. The nature, purpose and duration of the leave requested and reason for the application, including any extenuating circumstances that may apply, including travel of a significant distance
  - 3.9.2. The frequency and duration of previous leave taken by the staff member
  - 3.9.3. Maintenance of optimal staffing, the potential impact of granting a request on school operations and/or curriculum delivery
  - 3.9.4. The number of staff who will be on leave during the period of the leave request
  - 3.9.5. The availability of a suitable replacement/reliever, and any additional cost or operational implications to the school that may be incurred as a result of granting the leave
  - 3.9.6. Length of service at the school, and the wider contribution made by the staff member to the school

3.10. If leave is denied, the Principal will provide the reason(s) to the employee

4. **Unpaid Discretionary Leave** may include;

- 4.1. Attending educational appointments, interviews, training courses conferences and significant family events
- 4.2. Civil Defence Duties
- 4.3. Court Proceedings (when required by subpoena to attend court proceedings as a witness or serve on a jury)
- 4.4. Cultural Activities – employees participating in recognised cultural activities within New Zealand. For leave to attend cultural activities outside New Zealand, the employee shall be a member of a nationally recognized cultural group participating in an international activity
- 4.5. Disciplinary, Grievance and / or Dispute Hearings – leave shall be granted to an employee who is required to attend a meeting as described above or where they are requested to attend as a party and/or in an evidentiary or supporting role
- 4.6. Educational Activities – leave may be granted for pre-examination study or the sitting of examinations directly related to the employee’s employment. Leave may also be granted for an employee taking part in a study award or other educational project. [Leave with pay for study awards or other educational activity will only be granted after MOE approval for funding.]
- 4.7. Leave for annual conferences of a local body, service organisation such as Lions, Rotary or those that are of a political nature, provided the employee is selected as a delegate
- 4.8. Outward Bound Courses – employees selected for outward bound courses should take the course during a vacation period. If this overlaps with term time an employee may be granted leave with pay in special circumstances
- 4.9. Religious Observances – leave may be granted for Religious Observances where the employee is of the faith concerned, provided however, such leave does not extend beyond a period of one day at a time. For religious conferences and seminars – leave of up to one week in any one year may be approved
- 4.10. Significant children’s activities, including awards ceremonies, parent conferences and/or disciplinary matters
- 4.11. Family weddings, or the wedding of a close friend. Leave granted will be for a period of no more than 1 day per wedding event, to a maximum of 2 days for separate weddings within any single calendar year. For overseas events, please refer to section 6 (below)
- 4.12. Sporting Activities – leave may be granted to employees participating in sporting competitions or managing a group or team, or for attending to the

administration of a particular sporting activity. Such participation shall be at a provincial, national or international level. For employees seeking extended leave for sports tours overseas, such participation must be at a recognized international level

## 5. **Paid Discretionary Leave**

- 5.1. Leave with pay will be limited to exceptional circumstances that, in the opinion of the Principal (where the duration of the leave is 5 days or less) or Board (where the duration of the leave is 6 days or more), are sufficiently exceptional in nature to warrant a grant of paid leave

## 6. **Extended Leave**

- 6.1. Extended discretionary leave requests are defined as requests for a period of more than 5 days for personal reasons. As a guide, staff should have worked at the school for a minimum of 5 years, prior to lodging an application for leave of a term or more, for personal reasons. **All extended leave requests must be made in writing to the Board, at least one month prior.** This may include;
  - 6.1.1. Long term travel overseas (up to one year)
  - 6.1.2. Attending significant family events overseas
  - 6.1.3. An employees own wedding/honeymoon (unpaid leave up to three days), or a notable/significant milestone anniversary for self and/or close family member
  - 6.1.4. Study or Sabbatical Leave – Refer to the Teachers’ Collective Agreement
  - 6.1.5. Holidays – Teaching staff are expected to take holidays when the school is not open for instruction. Requests to extend holidays or weekends will be declined unless there are exceptional circumstances
  - 6.1.6. Extended parental leave

## **Conclusion**

Staff leave will be managed and administered in accordance with the provisions set out in the relevant CA or IEA. Leave requests will be reasonably considered in a fair, equitable way, while giving due consideration to the operational needs of the school.

## **Related Policies and Procedures**

Related policies and procedures include:

- Equal Opportunities
- School Hours
- Classroom Release Time
- Staff Grievances

Signed:

Date:

### **Policy review details**

Version 1.0 / date: May, 2023

Review cycle: Triennial

Date for next review: June 2026