SICK AND CARER'S LEAVE GUIDELINES AND PROCEDURE

(Also known as Personal / Carer's leave, or Sick leave)

Early childhood services are quite unique in that it is a legal responsibility to replace a sick worker due to the required educator to child ratios. Additionally, an absent worker can create a great deal of stress for a co-worker who is required to care for children in an under-staffed classroom. It is therefore vitally important that procedures are followed by all staff to minimise both stress and legal implications when taking sick leave.

Working in conjunction with the *Staffing Arrangements Policy and Sick Leave Entitlements Policy*, this procedure sets out processes for educators when requesting paid or unpaid sick leave due to illness or personal injury.

Education and Care Services National Law or Regulations (R. 122 and 123) NQS QA 4: Element 4.1.1, 4.1.2 Staffing practices and procedures
Related Policy: Staffing arrangements Policy

WHEN CAN SICK LEAVE BE TAKEN		
	Sick and carer's leave (personal leave) may be taken when an employee cannot work because of illness or personal injury, including stress and pregnancy related illnesses. An employee can also take paid carer's leave if required to care for a member of their immediate family, or member of their household (any person residing with the employee) who is sick, injured, or has an unexpected emergency. 'Immediate family' includes: • Spouse or former spouse • De facto partner of former de facto partner • Child • Grandchild • Sibling • Child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner (or former spouse or de facto partner) • Step-relations (e.g., step-children or step-parents) • Adoptive relations	

ACCUMULATION OF SICK LEAVE		
1	Sick leave is accrued at ten (10) days per year for full-time employees, and a pro-rata number of days for part-time employees on our EBA. Staff on VECTEA sick leave is accrued at fifteen (15) days per year for full-time employees, and a pro-rata number of days for part-time employees. Sick leave can be taken as soon as it is accrued, including during the probationary period.	
2	Unused sick leave is not 'paid out' upon termination of employment.	

3	Casual educators or staff are not eligible for sick leave	
4	Educators or staff who have exhausted sick leave entitlements must use any annual leave they may have. If no annual leave can apply for unpaid sick leave	
5	An employee is unable to claim sick leave for illness/injury that falls on a Rostered Day Off.	
6	Paid compassionate leave of 2 days (pro rata for part time educators) is available when a member of the educators' immediate family or household dies or is seriously ill. Casual educators/ staff are entitled to 2 days unpaid compassionate leave	
7	Wellbeing leave may be taken when an employee needs a break from the work environment. Five (5) days per year for full-time employees, and a pro-rata number of days for part-time employees on our EBA.	

EVIDENCE TO CLAIM SICK LEAVE		
1	There are no strict rules on what type of evidence is required to claim sick leave, other than it must be evidence that would convince a reasonable person that the employee was entitled to take sick leave. Generally, medical certificates are the best form of evidence, but statutory declarations may also be used.	
2	Medical Certificates are required for incapacity or absences from employment: • of leave more than 1 day • Before or after a public holiday • Before or after a weekend • Before or after annual leave Or on the request of the Director/ Nominated Supervisor	

SICK LEAVE PROCEDURE		
1	The Approved Provider, Nominated Supervisor and educators will review the Service's *Staffing Arrangements and Staff Leave Entitlements Policy* every 12 months	
2	Notify the Nominated Supervisor / Responsible Person as soon as practical, and as early as possible to advise that you will be absent. Educators who are on the early shift are to call or message a nominated supervisor directly after 6am and before 6pm. Educators not on the early shift are to contact the service as soon as possible via phone call. This allows time for the nominated supervisor to find a cover for your shift. (Never email this through as it might be seen in time to cover your shift).	
3	Once you have contacted a nominated supervisor to cover your shift. You must always email the manager that you will not be able to come in that day accompanied by the reason for record keeping purposes.	

4	After a medical appointment advise the Nominated Supervisor / Responsible Person if it is likely that you will be absent for more than one day. Where possible indicate how long you expect to be off work.	
5	Notify the Nominated Supervisor/responsible person as soon as possible if circumstances change and you are able to return to work sooner that previously advised, or later than previously advised	
6	Upon return to work, fill out the *Leave Application* Form and give to the Nominated Supervisor, along with any medical certificates.	
7	For any planned sick leave educators are to apply for leave as per *Leave Application Form.* Leave is to be submitted 2 weeks prior to leave being taken if applicable. Leave will be approved subject to operational requirements	
8	The Manager/ Nominated Supervisor may request an educator to provide medical evidence that they are able to resume full duties of the role and position description following time away from employment due to illness or injury	
9	Educators who become unwell whilst at the Service are to notify the Nominated Supervisor/ Responsible Person as soon as possible to ensure child: educator ratios are maintained at all times	
10	If the Manager/ Responsible Person is concerned an educator is unwell or is unable to perform their duties of employment, the educator may be requested to obtain a medical certificate stating clearance to perform duties as outlined within job description	

REVIEW OF PROCEDURE			
Date procedure created	04/07/2023	To be reviewed	April 2026
Approved by	Krystle Hills	Signature	
Procedure Reviewed Date	Modifications/Changes		
April 2025	Procedure reviewed. Procedure for calling in sick and emailing managers updated.		
04/07/2023	Policy Created		