# **Long Service Leave For Casuals Guideline**

# **Context and Purpose**

This Guideline provides guidance on the application, calculation and payment of long service leave for casual staff. These guidelines are to be read in conjunction with Clause 40, Long Service Leave in the *University of South Australia Enterprise Agreement 2023* (the Agreement).

## Responsibility

People, Talent & Culture is responsible for the review and management of these guidelines.

#### **Guidelines**

#### A. Leave Entitlement

- Staff who have ten (10) years or more service are entitled to the following long service leave:
  - 1.1. sixty-five (65) working days leave in respect of the first ten (10) years of service, calculated as 6.5 working days per completed year of service; and
  - 1.2. 6.5 working days leave in respect of each subsequent year of service.
- 2. Ex-SACAE, professional, security and grounds staff will be entitled to 10.71 working days of long service leave in respect of the sixteenth and each subsequent year of effective service.
- 3. Entitlements will be calculated on a pro rata basis by averaging the weekly hours of work over the periods of casual employment and expressed as full-time equivalent working days.

#### B. Calculation of Leave Entitlement

#### **Continuous Service**

- 4. Long service leave entitlements for casual staff are calculated on the basis of continuous service with the University.
- 5. Continuous service with the University means service under a casual employment contract or a series of casual employment contracts.
- 6. Continuous service is not affected by:
  - 6.1. <u>Academic staff</u> a break in service of less than two (2) months or a break in service as a result of the University timetable for end-of-year breaks;
  - 6.2. Professional staff security and grounds staff: a break in service of less than three (3) months.
- 7. Seasonal work that does not align to the breaks outlined in part 6 above may be recognised as service by application to the Executive Director: People, Talent, Culture (PTC).

#### **Effective Service Date**

- 8. Long service leave entitlements are calculated from a staff member's effective service date. The effective service date for a casual staff member is the date that is recognised in accordance with the criteria in this clause.
- 9. Service with another university or other employer with which the University has a reciprocal arrangement may be recognised provided that the time period between concluding work with the other university/employer and commencing with the University is:
  - 9.1. not more than two (2) months for academic staff; or
  - 9.2. not more than three (3) months for professional, security and grounds staff.

10. Staff that convert from casual employment to continuing or fixed term employment have their casual service recognised for purposes of calculating accrued long service entitlements.

#### **Hours of Work**

- 11. Casual Academic (non research) staff are traditionally paid a rate for the delivery of services that encompasses additional hours of work. For example, a staff member who is contracted for a one-hour normal lecture is expected to perform a further two additional hours of work. Calculation of the long service leave entitlement for these staff is based on the total hours worked as specified in their Casual Employment Agreement. Appendix 1 provides an example of the method of calculation.
- 12. Academic research staff are paid an hourly rate hour that reflects the actual hours worked. Calculation of the long service leave entitlement for these staff is based on the contracted hours. Appendix 2 provides an example of the method of calculation.
- 13. Professional, security and grounds are paid a rate per hour that reflects the actual hours worked. These staff work different hours per day to academic staff. <a href="Appendix 3">Appendix 3</a> provides an example of the method of calculation for these staff.

#### Rate of Pay

- 14. Casual Academic (non-research) staff will be paid at their current rate of pay in proportion to the hours worked in each classification during the preceding three (3) years. <u>Appendix 1</u> provides an example of the method of calculation.
- 15. Casual academic research, professional, security and grounds staff will be paid at their current rate of pay, by calculating an average total hourly rate based on the hours worked in each classification during the preceding three (3) years.

#### C. Taking Long Service Leave

- 16. Once a casual staff member has completed ten years' service, an application to take long service leave can be made at any time.
- 17. Long service leave will be taken at times and for periods agreed upon by the staff member and the supervisor. The minimum period of time for which a staff member can be absent on long service leave is one (1) working day.
- 18. A staff member must not, while on long service leave, engage in any other employment with the University.

## D. Cashing In Long Service Leave

#### **Application Process**

- 19. A staff member with ten (10) years' service may apply to receive a payment in lieu of their long service leave entitlement (i.e. cashing in). A payment in lieu of long service leave made in this context is by agreement with the staff member in accordance with clause 40.27 of the Agreement.
- 20. Applications to cash in long service leave are made by completing the online <u>Cashing in Long Service Leave</u> Application form.
- 21. Long service leave is recorded and taken (or paid) in working days.
- 22. The staff member's long service leave entitlement balance will decrease by the number of working days that the staff member nominates on their application form.
- 23. Independent financial and taxation advice should be sought prior to making a request for a long service leave cash-in payment.

#### **Payment**

- 24. Payment will be made by Payroll Services in the first available pay following the receipt of the request. Payment will be made to the staff member's nominated bank account as held on the payroll system.
- 25. The payment will be taxed at the staff member's marginal rate of tax.

26. Receiving a cash payment for long service leave will increase the staff member's total taxable income for the financial year in which it is paid. This may have an effect upon any taxation benefits that the staff member receives.

Responsibility for Update and Review: People, Talent & Culture Unit

Approved by: Executive Director: People, Talent & Culture

Commencement Date: January 2020

Reviewied: April 2024

**Review Date:** January 2025

# APPENDIX 1 – ACADEMIC (NON RESEARCH) STAFF LSL ENTITLEMENT

## Step 1. Calculating the LSL Entitlement

Average standard = (313/12) x 10 = 260.83

days per annum fortnights per annum x working days.

Standard hours per day = 7.5

FTE days worked = Total Hours worked/Standard hours per day

FTE years of service = FTE days worked/Average standard days per annum

LSL Entitlement = FTE years of service x 6.5 working days

The following example shows the calculation required to determine the LSL entitlement for a casual academic (non-research) staff member.

Paid Hours	Classification	Additional hours per	No of hours worked	Total hours
		paid hour	(contracted hours)	worked
115	UALECB	2	3	345
340	UATUT	2	3	1020
500	UAMRDQ	0	1	500
35	UALECS	4	5	175
			Total	2040

Total hours worked = 2040

FTE days worked 2040/7.5 272 FTE days = FTE years of service 272/260.83 1.04282 years LSL entitlement 1.04282 x 6.5 6.78 working days = = LSL entitlement 6.78 x 7.5 50.85 hours =

# Step 2. Calculating the LSL Payment

LSL for casual academic (non-research) staff is paid at their current rate of pay in proportion to the hours worked in each classification during the preceding three years. Using the example above, this is illustrated as follows:

Paid hours	Classification	Factor	No. of hours	Percentage of	
			worked	total work	
115	UALECB	3	345	16.91	
340	UATUT	3	1020	50.00	
500	UAMRDQ	1	500	24.51	
35	UALECS	5	175	8.58	
			2040	100%	

LSL entitlement will be paid as below:

UALECB 50.85 x 16.91% = (8.60 hours \* UALECB rate of pay) / factorUATUT 50.85 x 50.00% = (25.43 hours \* UATUT rate of pay) / factor

UAMRDQ 50.85 x 24.51% = (12.46 hours \* UAMRDQ rate of pay) / factor

UALECS 50.85 x 8.58% = (4.36 hours \* UALECS rate of pay) / factor

# **APPENDIX 2 – ACADEMIC RESEARCH STAFF LSL ENTITLEMENT**

Average standard = (313/12) x 10 = 260.83

days per annum fortnights per annum x working days

Standard hours per day = 7.5

FTE days worked = Hours worked/Standard hours per day

FTE years of service = FTE days worked/Average standard days per annum

LSL Entitlement = FTE years of service x 6.5 working days

The following example shows the calculation required to determine the LSL entitlement for a casual academic research staff member who has worked a total of 2646 hours.

Total hours worked = 2646

FTE days worked = 2646/7.5 = 352.8 FTE days

FTE years of service = 352.8/260.83 = 1.352605 years

LSL entitlement = 1.352605 x 6.5 = 8.79 working days

LSL entitlement =  $8.79 \times 7.5$  = 65.92 hours

# APPENDIX 3 — PROFESSIONAL, AND SECURITY STAFF LSL ENTITLEMENT

Average standard = (313/12) x 10 = 260.83

days per annum *fortnights per annum x working days* 

Standard hours per day = 7.35 (security 12.25)

FTE days worked = Hours worked/Standard hours per day

FTE years of service = FTE days worked/Average standard days per annum

LSL Entitlement = FTE years of service x 6.5 working days

The following example shows the calculation required to determine the LSL entitlement for a casual professional staff member who has worked a total of 5250 hours.

No. of hours worked = 5250

FTE days worked = 5250/7.35 = 714.2857 FTE days

FTE years of service = 714.2857/260.83 = 2.73851 years

LSL entitlement =  $2.73851 \times 6.5$  = 17.80 working days

LSL entitlement = 17.8 x 7.35 = 130.83 hours

#### NOTES:

- 1. Professional, Security and Grounds staff will accrue 10.71 days per year after 15 years of service.
- 2. The illustration above is an example only, and must be adjusted for those casual security staff who may be rostered to work 12.25 hours shifts.