

# SESLHD PROCEDURE COVER SHEET



**Health**  
South Eastern Sydney  
Local Health District

|  |  |
|--|--|
| <b>NAME OF DOCUMENT</b>                      | Annual Leave and Excessive Annual Leave (EAL) Management   |
| <b>TYPE OF DOCUMENT</b>                      | Procedure  |
| <b>DOCUMENT NUMBER</b>                       | SESLHDPR/436   |
| <b>DATE OF PUBLICATION</b>                   | January 2022   |
| <b>RISK RATING</b>                           | Medium   |
| <b>LEVEL OF EVIDENCE</b>                     | National Safety and Quality Health Service Standards:<br>Standard 1 – Governance for Safety and Quality in Health Service Organisations  |
| <b>REVIEW DATE</b>                           | January 2025   |
| <b>FORMER REFERENCE(S)</b>                   | PD 132 “LEAVE MATTERS - ANNUAL LEAVE - MANAGING EXCESSIVE LEAVE”   |
| <b>EXECUTIVE SPONSOR</b>                     | Director People and Culture  |
| <b>AUTHOR</b>                                | People and Culture Business Partnering and Employee Relations  |
| <b>POSITION RESPONSIBLE FOR THE DOCUMENT</b> | Director People and Culture<br><a href="mailto:SESLHD-PeopleandCultureExecutive@health.nsw.gov.au">SESLHD-PeopleandCultureExecutive@health.nsw.gov.au</a>  |
| <b>KEY TERMS</b>                             | annual leave, additional annual leave, excessive annual leave, EAL, leave loading, rest and recreation, liability, accruals, entitlement, encashment, cashed out, paid out   |
| <b>SUMMARY</b>                               | <p>This procedure provides managers and employees with information and guidance about annual leave eligibilities and entitlements and outlines best practice steps advisable when managing excessive annual leave accruals.</p> <p>This document should be read in conjunction with the NSW Health Policy Directive <a href="#">PD2019_010 Leave Matters for the NSW Health Service</a> and the relevant industrial instruments and legislation.</p> |

## **COMPLIANCE WITH THIS DOCUMENT IS MANDATORY**

**This Procedure is intellectual property of South Eastern Sydney Local Health District.  
Procedure content cannot be duplicated.**

Feedback about this document can be sent to [SESLHD-Policy@health.nsw.gov.au](mailto:SESLHD-Policy@health.nsw.gov.au)

# SESLHD PROCEDURE

## Annual Leave and Excessive Annual Leave (EAL) Management

**SESLHDPR/436**

### 1. PROCEDURAL STATEMENT

Annual leave is provided to give employees a period of recreation and rest from work so that they return to work refreshed and reinvigorated. Regular periods of annual leave promote employee well-being. South Eastern Sydney Local Health District (SESLHD) is committed to proactively supporting employees to regularly utilise this valuable condition of employment.

SESLHD encourages an active approach to the management of annual leave that is based on the following key principles:

- A commitment to the health, safety and wellbeing of employees
- Fair application across the organisation
- Applying the appropriate legislative and award principles and conditions
- Establishment of leave rosters allowing employees the opportunity to schedule and take leave
- Active monitoring of annual leave balances to manage individual circumstances
- The need to consider the specific circumstances of each case
- Supporting employees in reconciling their work obligations and private commitments
- Employee and management accountability in accordance with the [NSW Health Code of Conduct](#).

The purpose of this procedure is to assist employees and managers to work collaboratively to ensure that where possible:

- 1) Employees utilise their annual leave entitlement when it falls due
- 2) Employees do not accrue excessive annual leave balances
- 3) Where employees do accrue excessive annual leave balances, that plans are implemented to reduce them in a reasonable timeframe.

### 2. BACKGROUND

The *Annual Holidays Act (1944)* provides for a minimum of four weeks annual leave per employee and this is to be taken within six months of it falling due. Some Health Awards allow for the accrual of 'additional' annual leave on top of the four weeks in the Annual Holidays Act. This additional leave is able to be 'cashed out' as per [NSW Ministry of Health Information Bulletin - IB2021\\_039 Cashing out Accrued Additional Annual Leave](#). [NSW Ministry of Health Policy - PD2019\\_010 Leave Matters for the NSW Health Service](#) Section 2 provides further guidance on the management of annual leave.

[SESLHDPR/529 Rostering Best Practice Procedure](#) sets out a number of obligations on SESLHD Roster Managers including:

- Preparation of a 12 month annual leave plan for all of their staff
- Make staff aware of the annual leave request process
- Monitor their annual leave FTE target and ensure sufficient staff are on leave at all times
- Monitor Excess Annual Leave (EAL), ensure staff with EAL have a leave reduction plan and implement strategies for individual employees to reduce their annual leave liability.

# SESLHD PROCEDURE

## Annual Leave and Excessive Annual Leave (EAL) Management

**SESLHDPR/436**

There are many reasons why excess annual leave should be managed. Some of these reasons include:

- Employees need to take regular time off for rest and recreation to ensure that they return to work refreshed and reinvigorated, manage their fatigue, and maintain their wellbeing
- On termination payment of annual leave is at the current rate of pay which is costly to the organisation
- Periods of regular annual leave provides other employees an opportunity to act in higher grade positions and/or with different responsibilities increasing flexibility, career progression and future proofing the team
- Periods of regular leave also enables increased understanding of the role and responsibilities and allows intimate oversight otherwise not gained
- When annual leave entitlements are not taken regularly the impact on service is increased when longer periods of leave are eventually required to be taken

The [PD2019\\_010 Leave Matters for the NSW Health Service Section 18 STAFF MOBILITY](#), describes entitlements and procedures for the transfer of leave when employees move between the NSW Health Service, other NSW government sector services and non-declared affiliated health organisations. These provisions do not apply to employees moving between divisions of the NSW Health Service as they retain the same employer.

[NSW Ministry of Health Information Bulletin - IB2021\\_039 Cashing out Accrued Additional Annual Leave](#) and the relevant awards outline the provisions for the encashment of additional leave.

SESLHD's Service Agreement with the Ministry of Health considers any annual leave balance of "*more than 30 days*" to be excessive and requires these balances be reduced. This includes pro-rata leave and additional leave balances and is applied to all NSW Health staff regardless of the specific annual leave allowed for in awards and/or different work patterns.

### 3. RESPONSIBILITIES

#### 3.1. Employees will:

For 'standard' annual leave:

- Review their own annual leave balances through [StaffLink Employee Self Service \(ESS\)](#)
- Engage in leave planning discussions with their manager and team/colleagues
- Make plans to take their yearly entitlement for annual leave when it falls due or as agreed in consultation with their manager at a time that is suitably to both them and the service
- Take leave as rostered on the departmental leave plan
- Submit the Application for Leave e-form within [SARA](#) for approval by their manager when requesting leave
- If employed in the handling of cash or securities, proceed on annual leave at least once each year for a minimum period of two consecutive weeks

For 'additional' annual leave:

**Annual Leave and Excessive Annual Leave  
(EAL) Management****SESLHDPR/436**

- Consider applying for the [encashment](#) provisions of their award, as an option to reduce excess leave balances
- Advise their manager, of any intent to cash out their 'additional' annual leave balances, or a portion thereof

For 'excessive' annual leave:

- Ensure that they do not accrue an excessive annual leave balance
- Actively participate in the preparation of an [excessive annual leave reduction plan](#) with their manager to reduce their excess annual leave balance in a reasonable and timely manner
- Adhere to the approved [excessive annual leave reduction plan](#)
- Where a reduction plan has not been approved, take leave as directed by their manager, to reduce their excess annual leave balance

**3.2. Line Managers will:**For 'standard' annual leave:

- Proactively monitor, plan and manage annual leave for all team members applying the tenets of this procedure
- Consider individual circumstances and where necessary use of the tools within this document
- Be responsible for the day-to-day management of annual leave
- Establish appropriate annual leave rosters allowing employees the opportunity to schedule leave in advance (e.g. next 12 months)
- Prepare, publish and manage annual leave calendars for their team
- Where an employee does not have approved leave in a 12 month period equal to the annual leave they accrue negotiate with the employee to schedule their leave at a time that is suitably to both them and the service
- Ensure that employees, whose duties include the handling of cash or securities proceed on annual leave at least once each year for a minimum period of two consecutive weeks
- Ensure all leave applications are submitted within [SARA](#) for approval
- Accurately record periods of annual leave within roster and payroll systems
- Regularly review employees' annual leave balances and ensure that leave accrued from previous years is taken without delay
- Implement strategies to address the clinical service implications in departmental annual leave rosters
- Ensure that employees do not accrue excessive annual leave balances

For 'additional' annual leave:

- Discuss, as appropriate, the option for employees to [cash out](#) their 'additional' annual leave balances, or a portion thereof, in line with the provisions of the awards
- Liaise with their financial support / business manager in relation to any payments related to employee encashment of 'additional' annual leave

For 'excessive' annual leave:

- Proactively monitor, plan and manage excessive annual leave for all team members applying the tenets of this procedure

**Annual Leave and Excessive Annual Leave (EAL) Management****SESLHDPR/436**

- Consider individual circumstances and where necessary use the tools within this document and other strategies, as developed
- Ensure that any team member with excessive annual leave has an approved [excessive annual leave reduction plan](#) that addresses the excess leave in a reasonable and timely manner
- Ensure that annual leave plans are reviewed and discussed at performance review meetings with employees
- Set targets to reduce any excessive annual leave, within reasonable timeframes
- Proactively identify and prepare leave plans with team members who have excessive annual leave
- Ensure flexibility in dealing with the individual circumstances of each case
- Where appropriate, direct employees to take annual leave where their annual leave balance is above 30 days and appropriate process has been followed
- Consider the financial implications of any plan to reduce excessive annual leave balances
- Consider the clinical service implications of any plan to reduce excessive annual leave balances
- Discuss with and seek approval, where necessary, from their relevant financial support / business manager / direct manager to implement plans to reduce excessive annual leave balances
- Liaise with People & Culture for advice and support on complex and long term matters

**3.3. Finance Teams / Business Managers (or equivalent) will:**

- Support line managers to consider the financial implications of any plans to reduce excessive annual leave balances and in relation to any payments related to employee encashment of 'additional' annual leave
- Provide advice and approval, where necessary, in relation to the implementation of plans to reduce excessive annual leave balances
- Review any proposed funding models for backfill / replacement costs
- Provide leadership in understanding the ongoing financial benefits of reducing excessive annual leave balances into the future, in comparison to the significant short term costs that will need to be covered

**3.4. General Managers / Service Directors will:**

- Direct and support line managers to have processes in place to manage excessive annual leave
- Take an active approach to addressing the level of annual leave balances which are held by employees across the facility / service
- Develop strategies across the facility / service to ensure that excessive annual leave balances are systematically eliminated and proactively prevented
- Address the budgetary implications of the significant amounts of annual leave accrued across the facility / service
- Implement strategies to address the clinical service implications of approved facility / service wide plans to reduce excessive annual leave balances
- Prioritise and lead approaches to address cases of extremely high annual leave balances within the facility / service, considering the significant potential operational impacts

# SESLHD PROCEDURE

## Annual Leave and Excessive Annual Leave (EAL) Management

**SESLHDPR/436**

- Consider and implement facility / service wide strategies to address excessive annual leave balances.

### 3.5. Chief Executive will:

- Promote and monitor SESLHD's obligations under the Service Agreement with the Ministry of Health, to reduce annual leave balances of "more than 30 days"
- Ensure local procedures are developed and implemented to ensure that annual leave is taken as it falls due and that excessive annual leave is not accrued
- Ensure SESLHD systems are developed to minimise the accrual of excessive annual leave and that excessive annual leave balances are reduced across the District.

### 3.6. People & Culture will:

- Provide advice, support and coaching to managers, as necessary, in the process of managing employees annual leave entitlements, excessive annual leave balances and the encashment provisions available to employees
- Provide reports to General Managers / Service Directors on excessive annual leave accruals on a regular basis
- In consultation with General Managers / Service Directors develop strategies for the management of annual leave and excessive annual leave
- Develop tools for managers on the management of annual leave and excessive annual leave
- Provide access to, or guidance in accessing reports on individuals or department annual leave balances
- Provide advice and assistance to employees in relation to annual leave balances, as requested
- Liaise and work with HealthShare, as appropriate, in relation to the payment of leave balances and the cashing out of additional leave
- Develop training for managers on the management of annual leave and excessive annual leave

## 4. ENTITLEMENTS / DEFINITIONS

### 4.1. Annual Holidays Act 1944

The Act provides that:

- *"every worker shall at the end of each year of the worker's employment by an employer become entitled to an annual holiday on ordinary pay. Such annual holiday shall... be of four weeks."*
- *"the annual holiday shall be given by the employer and shall be taken by the worker before the expiration of a period of six months after the date upon which the right to such holiday accrues"*
- *"provided that the giving and taking of the whole or any separate period of such annual holiday may, with the consent in writing of the Industrial Registrar, or Deputy Industrial Registrar appointed under the Industrial Relations Act 1996, be postponed for a period to be specified by such Registrar in any case where he or she is of opinion that circumstances render such postponement necessary or desirable."*

#### 4.2. Annual Leave Award Accrual Entitlements

- 4.2.1. Health Employees Condition of Employment (State) Award  
Public Hospital Medical Officers (State) Award  
Public Hospital Career Medical Officers (State) Award  
Public Hospital (Professional and Associated Staff) Conditions of Employment  
Health Professional and Medical Salaries (State) Award
  - Radiographers - four weeks per annum (based on 35 hour week)
  - All other employees – four weeks per annum (based on 38 hour week)
- 4.2.2. Hospital Scientists (State) Award
  - Principal Hospital Scientists - five weeks per annum
  - All other employees - four weeks per annum
- 4.2.3. Public Health System Nurses' and Midwives' (State) Award
  - Employees required to work a rotating shift roster (on a seven day basis) - six weeks per annum
  - All other employees - four weeks per annum
- 4.2.4. Staff Specialist (State) Award  
Public Hospitals (Medical Superintendents) (State) Award
  - Five weeks per annum

#### 4.3. Additional Annual Leave

- The above awards include provisions for those employees who work on Sundays and/or public holidays being entitled to receive additional annual leave in respect of the hours worked. This is referred to as 'extra' or 'additional' leave.
- It is considered that 'additional' leave is any annual leave additional to four weeks paid leave per annum available under the provisions of the *Annual Holidays Act 1944*
- The process of encashment enables some/all of an employee's additional leave balance be paid to them instead of taken as leave. This is outlined in [NSW Ministry of Health Information Bulletin - IB2021\\_039 Cashing out Accrued Additional Annual Leave](#)
- A [Fact Sheet](#) is available to assist managers and staff in considering and / or requesting that some / all of their additional leave balance be paid out

#### 4.4. Excessive Annual Leave

- *Annual Holidays Act (1944)* and most Health Awards provide that annual leave accrued is to be taken within six months after the date upon which the right to such holiday accrues
- Annual leave accruals beyond this date are considered to be 'excessive'
- The above awards anticipate leave to be given and taken as soon as it is due after the first year of employment
- Service Level Agreements with the Ministry of Health require the reduction of annual leave balances of "more than 30 days"
- SESLHD defines excessive annual leave as "more than 30 days". This applies to all employees irrespective of the specific annual leave allowed for in awards and under different work patterns.

# SESLHD PROCEDURE

## Annual Leave and Excessive Annual Leave (EAL) Management

SESLHDPR/436

### 5. PROCEDURE

In the management of annual leave, managers and staff should refer to their obligations under **Section 3. RESPONSIBILITIES**, in relation to:

- 'standard' annual leave:
- 'additional' annual leave
- 'excessive' annual leave:

In addition, the Managing Annual Leave and Excessive Annual Leave **Manager Tip Sheet (Appendix A)** should be referenced. This outlines steps that managers can take to address normal annual leave rostering, assisting employees to consider the encashment provisions available to them and to develop strategies to address excessive annual leave balances.

A flowchart / **process map** of the suggested process to be followed when managing excessive annual leave is available at **Appendix B**.

When developing an **Annual Leave Plan (Appendix C)** is available to support managers and staff.

Guidelines and suggested **templates** for communication to employees are also provided (**Appendix D, Appendix E and Appendix F**).

### 6. DOCUMENTATION

APPENDIX A: Manager Tip Sheet

APPENDIX B: Process Map

APPENDIX C: Annual Leave Plan Template

APPENDIX D: Memo template 1

APPENDIX E: Memo template 1b

APPENDIX F: Memo template 2

### 7. AUDIT

This process is audited through a variety of means including:

- Annual Leave Balance and Excessive Annual Leave Reports
- StaffLink and roster systems
- Financial liability reports

### 8. REFERENCES

- Annual Holidays Act (1944)
- Government Sector Employment Act (2013)
- [NSW Ministry of Health Policy Directive– PD2019\\_010 Leave Matters for the NSW Health Service](#)
  - Section 2 Annual Leave
  - Section 18 Staff Mobility
- [NSW Ministry of Health Policy Directive– PD2018\\_031 Managing Misconduct](#)
- [NSW Ministry of Health Information Bulletin - IB2021\\_039 Cashing out Accrued Additional Annual Leave](#)

# SESLHD PROCEDURE

## Annual Leave and Excessive Annual Leave (EAL) Management

SESLHDPR/436

- [SESLHDPR/529 Rostering Best Practice Procedure](#)
- Leave Application eForm – to be submitted in SARA  
<https://sara.health.nsw.gov.au/>
- HealthShare Fact Sheet: “*StaffLink Electronic Forms Leave Election*”  
[https://envz.cit.health.nsw.gov.au/OA\\_HTML/help/topics/iHelp/HelpServlet/US/PER/Factsheet\\_Leave\\_Election.pdf](https://envz.cit.health.nsw.gov.au/OA_HTML/help/topics/iHelp/HelpServlet/US/PER/Factsheet_Leave_Election.pdf)
- HealthShare Fact Sheet: “*Annual Leave Cascade Detailed*”  
[https://envz.cit.health.nsw.gov.au/OA\\_HTML/help/topics/iHelp/HelpServlet/US/PER/Annual\\_Leave\\_Cascade\\_Detailed\\_Factsheet.pdf](https://envz.cit.health.nsw.gov.au/OA_HTML/help/topics/iHelp/HelpServlet/US/PER/Annual_Leave_Cascade_Detailed_Factsheet.pdf)
- StaffLink – ESS and MSS User Instructions  
<https://intranet.hss.health.nsw.gov.au/about/ehealth/service-delivery/corporate-applications/stafflink/hrpayroll/user-instructions>
- StaffLink – MSS Reports User Guide  
[https://hseh.intranet.health.nsw.gov.au/\\_data/assets/pdf\\_file/0003/1240275/StaffLink-MSS-Reports-User-Guide.pdf](https://hseh.intranet.health.nsw.gov.au/_data/assets/pdf_file/0003/1240275/StaffLink-MSS-Reports-User-Guide.pdf)
- Relevant Industrial Instruments, Awards and Determinations  
<https://www.health.nsw.gov.au/careers/conditions/pages/default.aspx>

### 9. REVISION AND APPROVAL HISTORY

| Date              | Revision No. | Author and Approval  |
|-------------------|--------------|--|
| July 2010         | PD 132-2     | Excessive Annual Leave Working Group<br>Gerard Rooney, Director of Workforce Development   |
| 14 August 2015    | 1            | Reviewed by Georgia van der Meer, Principal HR Consultant.<br>Endorsed by Executive Sponsor Acting Director of Workforce Services.   |
| 16 September 2015 | -            | Draft for comment considered   |
| 28 October 2015   | 2            | Comments considered and procedure updated.<br>Reviewed by Georgia van der Meer, Principal HR Consultant.   |
| 3 November 2015   | 2            | Endorsed by Executive Sponsor Acting Director of Workforce Services  |
| 12 November 2015  | 2            | Endorsed by DET.   |
| August 2018       | 3            | Minor updates. Endorsed by Director Workforce Services   |
| August 2018       | 3            | Processed by Executive Services prior to publishing – minor review.  |
| June 2020         | 4            | Risk rating reduced to Medium Risk. Review date amended to August 2021 to align with Medium Risk rating. Executive Sponsor and Position Responsible updated from Director, Workforce Services to Director People and Culture. Approved by Executive Sponsor. |
| December 2021     | 5            | Minor review: Update to wording, titles and hyperlinks.<br>Reviewed by Neil Hamer, Lead People & Culture Business  |

## Annual Leave and Excessive Annual Leave (EAL) Management

SESLHDPR/436

|              |   |   |
|--------------|---|---|
|              |   | Partner.  |
| January 2022 | 5 | Approved by Executive Sponsor. Processed and published by<br>SESLHD Policy. |

**Manager Tip Sheet****Standard Annual Leave**

1. Make leave planning part of your normal departmental communication to promote a culture of leave taking
2. Before the end of each year, start planning your departmental leave roster for the coming 12 months
3. Schedule all your staff to have at least four weeks annual leave each year
4. This should be based on your service needs and can take into consideration, where possible, individual requests for particular leave dates in the coming year
5. Put it in a calendar in advance and clearly communicate it to, and discuss it with, your team
6. Allow for swaps between colleagues, if it can be accommodated
7. Take into account and plan ahead for low-activity (e.g. Christmas) or high-activity (e.g. winter) which will affect how many staff can take leave
8. Regularly review the annual leave balances of your team through StaffLink Manager Self Service (MSS)
9. Discuss with your senior manager and finance contacts which positions have leave relief funding built into your budget allocation.

**Additional Annual Leave**

1. Explain to your staff that they have the option of receiving a cash payment for their additional annual leave. This can be accessed via Stafflink Employee Self Service 'Leave Election' form
2. Discuss with your staff the option of electing to receive payment each pay period for monetary value of public holidays and Sunday shifts, rather than electing additional annual leave.

**Excess Annual Leave**

1. Regularly review the EAL balances for your team through StaffLink Manager Self Service (MSS)
2. Ensure that you use the opportunity at a performance development review meeting to confirm and agree on an EAL reduction plan for the year ahead. Set a goal together to achieve this
3. Arrange individual meetings with all employees with EAL. Explain the 'Excessive Annual Leave Management' principles and the NSW Health EAL reduction expectations
4. Make an agreement about how they are going to reduce their EAL total
5. Work together on ideas and strategies to reduce the EAL balance:
  - a. Schedule a longer break over closedown periods
  - b. Prior to an employee reducing their hours, make arrangements for a reduction in their EAL prior to commencing the reduced hours arrangements
  - c. Seek approval to increase part-time staff to full-time for a period, and reduce annual leave each week across the non-work days
  - d. Arrange for every second Friday or every Monday to be an annual leave day for a few months, depending on service need
  - e. Take a further one week of leave every three months
  - f. Reduce 12 weeks annual leave over a 12 month period
  - g. Consider what portions of the total EAL balance is 'additional' and can be considered for encashment
  - h. Take advantage of the annual opportunity to change election
  - i. Require the use of annual leave before any leave without pay is approved
  - j. Discuss the opportunity for staff proceeding on maternity leave to combine periods of annual leave with their period of maternity leave
  - k. Draw up an EAL Reduction Plan
    - l. This can be developed by the manager, in discussions with the staff member concerned
    - m. Where possible, this should be a mutually convenient arrangement and agreed to by both parties reasonably
    - n. Send a memo to confirm the discussion and what is expected.
6. Monitor and review the EAL Reduction Plan to ensure it is being followed and that accruals remain at an acceptable level
7. If an agreement is unable to be reached, you may need to continue discussions and direct employees on leave
8. Arrange a further meeting within the next two weeks to enable an EAL reduction plan to be developed together to ensure that leave accruals are reduced to an acceptable level
9. Send a further memo to confirm the additional discussions held and what is expected

## SESLHD PROCEDURE

### Annual Leave and Excessive Annual Leave (EAL) Management SESLHDPR/436

### APPENDIX A Manager Tip Sheet

10. If an employee refuses to participate and will not work together to develop an EAL reduction plan, managers can develop a plan and direct employees to take annual leave with appropriate notice (minimum of one month)
11. Send a final memo advising of the leave scheduled for the employee
12. If there are any further issues you should seek advice from Workforce Services. For example: if an employee refuses to take the direction to proceed on annual leave, after appropriate discussions have been held, it may be appropriate to manage the circumstances in line with the relevant consultative and misconduct processes.

#### **Recruiting new staff with high annual leave balances within NSW Health**

1. Remember that employees moving between divisions of the NSW Health Service retain the same employer. Therefore all leave entitlements are to be transferred and 'normal' annual leave balances cannot be paid out
2. You cannot use an EAL balance as a decision not to appoint a successful candidate. Merit principles should be applied
3. However, prior to commencement, when discussing the start date of the successful candidate you can enquire about their EAL balance
4. Discuss options with the successful candidate to attempt, where possible, to minimise the leave liability they will bring to SESLHD:
  - a. Consider delaying their start date, and asking the individual to take annual leave with their current Local Health District (LHD) or Specialty Network (e.g. NSW Pathology) before they separate from their prior role
  - b. Reminding them of the option of 'additional leave encashment' prior to leaving their other LHD/Specialty Network
  - c. Making an EAL Reduction Plan to reduce their balance transferred from the LHD/Specialty Network, immediately upon commencement with SESLHD.
5. Individuals ceasing employment in one NSW government sector and immediately commences in another can elect to be paid the monetary value of accrued annual leave on termination, or have their entitlement transferred to the new employer, where transfer is elected, SESLHD is to be paid funds equivalent to the value of the accrued entitlements from the transferring service.

# SESLHD PROCEDURE

## Annual Leave and Excessive Annual Leave Management SESLHDPR/ 436

## APPENDIX B Process Map

| ACTION   | WHAT  | RESOURCE  |
|--|---|---|
| Identify staff with Excessive Annual Leave   | Review Excessive Annual Leave Report, run a report or view staff leave balances in Stafflink – Manager Self Service   | StaffLink – MSS User Guide  |
| Advise employee of their excess leave status   | Arrange meeting with employee<br>Discuss with employee the importance of taking leave<br>At conclusion of meeting issue memo to employee to confirm the discussion and what is expected of them   | SESLHDPR/436_Annual Leave and Excessive Annual Leave Management<br>Manager Toolkit - Tip Sheet (Appendix 1 – SESLHDPR/436)<br>Manager Toolkit - Holding Conversations (Appendix XX – SESLHDPR/436)<br>Template Memo 1 (Appendix 3 SESLHDPR/436) |
| Employee develops action plan  | Employee provides action plan to reduce leave within two weeks of meeting<br>Manager monitors to ensure action plan is implemented and leave reduced  |   |
| <b>If Action plan not received within given timeframe</b>  |   |   |
| Follow up development of action plan   | Arrange second meeting to discuss their failure to develop an Action Plan<br>If the employee indicates that they are willing to develop an Action Plan provide them with an extension of one week | Template Memo 1b (Appendix 4 SESLHDPR/436)  |
| Employee develops action plan  | Employee provides action plan to reduce leave within one week of meeting<br>Manager Monitors to ensure action plan is implemented and leave reduced   |   |
| <b>If Action plan not received within given timeframe or employee indicates they are not willing to develop a plan</b> |   |   |
| Employee directed on leave   | Manager to develop plan that allows reduction of leave in line with service delivery requirements<br>Send Letter to employee directing them on leave  | Template memo 2 (Appendix 5 SESLHDPR/436)   |
| <b>Employee refuses to take a direction to proceed on leave or attends for duty when leave is scheduled</b>            |   |   |
| Employee directed on leave   | Manager discusses with employee the direction to take leave and the consequences of failure to follow a lawful directive<br>Manager commences disciplinary process                                | PD2014_042 Managing Misconduct<br>HR Consultant Contact   |

# SESLHD PROCEDURE

## Annual Leave and Excessive Annual Leave Management SESLHDPR/ 436

## APPENDIX C ANNUAL LEAVE PLAN

|   |  |
|---|--|
| <b>Employee Name:</b>   | <b>Assignment No:</b>  |
| <b>Position Title:</b>  | <b>Department:</b>   |
| <b>Facility:</b>  | <b>Cost centre No:</b>   |
| <b>Full-time / part-time (incl. normal working hours)</b>   | <b>Permanent / Temporary (incl. end date)</b>  |
| <b>Leave accrued annually:</b><br><input type="checkbox"/> 4 weeks<br><input type="checkbox"/> 5 weeks (Staff Specialists 1 week additional)<br><input type="checkbox"/> 6 weeks (2 weeks additional leave) | <b>Leave election:</b><br>Would you like to be paid out your additional leave?<br><input type="checkbox"/> Yes (complete adjustment in ESS)<br><input type="checkbox"/> No |

As discussed, all staff are required to have an annual leave plan and if your annual leave balance is excessive it must be reduced below 30 days/6 weeks (#)

|  |                                      |
|--|--------------------------------------|
| <b>Your current total annual leave balance (including pro-rata):</b> | _____ hours, _____ days, _____ weeks |
| <b>Your current Excessive Annual Leave balance:</b>                  | _____ hours, _____ days, _____ weeks |
| <b>Your projected annual leave balance in 12 months will be:</b>     | _____ hours, _____ days, _____ weeks |

It is expected that all staff annual leave be scheduled as well as any excessive annual leave balance is to be reduced within 12 months. In discussions, we have agreed on the following leave plan:

|  |  |                         |
|--|--|-------------------------|
| <b>Reduction target by _____ (date):</b> | _____ hours, _____ days, _____ weeks<br>_____ % annually |                         |
| <b>Planned Annual Leave to be taken:</b> |  |                         |
| <b>From</b>                              | <b>To</b>  | <b>Days / Hours</b>     |
| / /                                      | / /  | _____ hours, _____ days |
| / /                                      | / /  | _____ hours, _____ days |
| / /                                      | / /  | _____ hours, _____ days |
| <b>Manager's Name and Signature:</b>     |  |                         |
| <b>Employees Signature:</b>              |  |                         |
| <b>Comments</b>                          |  |                         |

(#) South Eastern Sydney Local Health District has determined that six (6) weeks of annual leave "or more than 30 days" entitlement is excessive.

**Completed agreements are to be kept in the local Departmental management file**

**SESLHD PROCEDURE****Annual Leave and Excessive Annual Leave  
(EAL) Management SESLHDPR/436****APPENDIX D  
Memo Template 1**

# memo

[Division]

[Branch]

---

|                |                                   |
|----------------|-----------------------------------|
| <b>TO</b>      | [Enter Employee Name]             |
| <b>FROM</b>    | [Enter Manager / Department Name] |
| <b>TEL</b>     | <b>DATE</b>                       |
| <b>SUBJECT</b> | Excessive Accrual of Annual Leave |

---

In our meeting on <<date>> we discussed that the StaffLink records indicate that you have a current annual leave balance (including pro rata leave) of <<enter annual leave accrual in hours>> hours (i.e. <<convert time to weeks, e.g. 23 weeks>>).

In accordance with your Award and the *Annual Holidays Act (1944)*, annual leave must be taken within six months of it falling due. Ministry of Health define that six (6) weeks of annual leave “or more than 30 days” entitlement is excessive.

It is necessary that SESLHD take all reasonable steps to ensure staff are regularly taking their annual leave to support their wellbeing, assist with fatigue management, and to manage the impact that excessive annual leave can have on both staff and the service.

As you currently have more than 30 days annual leave it is considered that your annual leave balance is excessive. It is necessary for you to reduce this balance to a reasonable level.

At the meeting your annual leave reduction plan was discussed and mutually agreed in principle. Please now finalise your excessive annual leave reduction plan. Please submit your leave reduction plan attached to your leave application e-form(s) in SARA <<or forms relevant to agreed period>> within two (2) weeks of this advice.

If you wish to discuss further, please feel free to contact me.

<<Manager signature, name, title>>

## SESLHD PROCEDURE

Annual Leave and Excessive Annual Leave  
(EAL) Management SESLHDPR/436

APPENDIX E  
Memo Template 1b

# memo

## Appendix E – Memo 1b

[Division]

[Branch]

TO [Enter Employee Name]

FROM [Enter Manager / Department Name]

TEL

DATE

SUBJECT Excessive Accrual of Annual Leave

In our meeting on <<date>> we discussed that the StaffLink records indicate that you have a current annual leave balance (including pro rata leave) of <<enter annual leave accrual in hours>> hours (i.e. <<convert time to weeks, e.g. 23 weeks>>). As this is more than the NSW Health standard of 'more than 30 days' it is considered that your current annual leave balance is excessive. As discussed it is necessary for you to reduce this balance to a level below 30 days within a reasonable timeframe.

At the meeting your annual leave reduction plan was discussed and mutually agreed in principle. Further to our meeting of <<date>> you were formally asked to submit your leave reduction plan attached to your leave application e-form(s) in SARA within two (2) weeks. To date I am yet to receive the plan and/or your leave form(s). I am extending the deadline for the completing of the plan for a further week.

If you do not provide me with the agreed plan to reduce your Excessive Annual Leave balance by <<date>> I may be required to direct you on to Annual Leave, under the provisions of District Procedure SESLHDPR/436 Annual Leave and Excessive Annual Leave (EAL) Management.

If you wish to discuss further, please contact me.

<<Manager signature, name, title>>

## SESLHD PROCEDURE

Annual Leave and Excessive Annual Leave  
(EAL) Management SESLHDPR/436

APPENDIX F  
Memo Template 2

# memo

## Appendix F – Memo 2

[Division]

[Branch]

TO [Enter Employee Name]

FROM [Enter Manager / Department Name]

TEL

DATE

SUBJECT Excessive Accrual of Annual Leave

In our meeting/s on <<date>> and <<date if applicable>> we discussed that StaffLink records indicate that you have a current annual leave balance (including pro rata leave) of <<enter annual leave accrual in hours>> hours (i.e. <<convert time to weeks, e.g. 23 weeks>>).

It was agreed that you would submit your excessive annual leave reduction plan attached to your application e-form(s) in SARA. To date, you have not submitted the agreed plan and/or relevant leave application form(s) as directed.

As you have not provided an excessive annual leave reduction plan as required within the time provided, I have developed the attached plan.

You are therefore directed to proceed on annual leave effective for the periods <Delete prior to send (NB. ensure that at least 1 month notice, from start of annual leave date, is provided)>:

- << Date>> until <<Date>>
- << Date>> until <<Date>>
- 

If you wish to discuss further, please contact me.

<<Manager signature, name, title>>