

 PO Box 3407 Toowoomba QLD 4350	HR POLICY	Newlands Civil Construction Pty Ltd ABN 41 133 339 778
	<b>LEAVE</b>	Newlands Commercial Construction Pty Ltd ABN 64 166 350 563

Authorised By: B O'Sullivan

HR-POL-036

Version: Nov 2025

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## 1. Purpose

1.1 NCC recognises the value of an effective break from the working environment, and time away from the workplace is encouraged. This Policy is in place to make sure NCC and its employees are allocating and taking leave in accordance with the National Employment Standards (NES) and the requirements of NCC. It is here to make sure employees are accountable for their whereabouts and are informing their supervisors with the appropriate notice in accordance with this Policy. The Policy covers the following types of leave:

- 1.1.1 Annual;
- 1.1.2 Personal/carer's;
- 1.1.3 Community service;
- 1.1.4 Compassionate;
- 1.1.5 Parental;
- 1.1.6 Long service leave;
- 1.1.7 Leave without pay;
- 1.1.8 Time in Lieu;
- 1.1.9 Study Leave;
- 1.1.10 Public holidays;
- 1.1.11 Family and Domestic Violence Leave.

## 2. Scope

This Policy applies to all NCC employees.

## 3. Policy

When applying for any type of leave, a Leave Application (HR-FM-010) is to be submitted to your supervisor or the HR Manager.

- 3.1 **Annual Leave** – Employees are entitled to 20 working days annual leave per year at their base rate of pay, for ordinary work time, plus a 17.5% loading if applicable under the Award/Contract. The taking of annual leave will be by mutual agreement between parties. All annual leave must be applied for at least 4 weeks in advance. Annual leave may be required to be taken during periods of shut down, such as over Christmas. Annual leave is paid out when employment ends for whatever reason.
- 3.1.1 While NCC's preference is that Annual Leave is taken, it may be cashed out only with approval. A minimum balance of four weeks annual leave must remain following any cashing out. To request payout of any annual leave, a Payout of Annual Leave Request Form (HR-FM-047) must be completed;
- 3.2 **Personal/Carers Leave** – Employees are entitled to 10 days of paid personal/carers leave at their base rate of pay. When taking personal/carers leave, the employee must notify their Supervisor/Manager by telephoning them. Text messages will not be accepted. Personal/carers leave may also be used to tend for members of your immediate household.
- 3.2.1 NCC may, at its discretion, require evidence of illness for any absence where paid personal leave is sought. The employee will be required to provide a medical certificate for two days or more of personal leave, or for a day taken either side of a weekend. If this leave is for carer's leave, a medical certificate for the family member being cared for may be required. If a medical certificate isn't received a Personal Carer's declaration may be asked to be completed, especially where patterns of regular absence are noted.
- 3.3 **Compassionate Leave** – Employees are entitled to two days compassionate leave each time an immediate family or household member passes away or suffers a life threatening illness or injury (as defined under the Fair Work Act 2009). The employee must inform their Manager as soon as possible about the leave and when it will be taken. NCC may at their discretion ask for evidence about the reason for compassionate leave.
- 3.4 **Parental Leave** – Employees who are the primary carer, and have 12 months or more of continuous service with NCC, are entitled to take up to 12 months of unpaid parental leave as per the NES. Please see Paid Parental Leave Policy HR-POL-055 for further information on Parental Leave.
- 3.5 **Community Service** – Employees can take community service leave for certain activities such as, voluntary emergency management activities and jury duty. With the exception of jury duty, community service leave is unpaid.
- 3.6 **Long Service Leave** – Long service leave will be accrued in accordance with the State Legislation.
- 3.7 **Leave Without Pay (LWOP)** – Employees can request leave without pay, if all other leave options are exhausted. LWOP will be approved at the supervisors/managers discretion once all upcoming works etc. are considered.

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Employees must give their supervisor/manager at least 4 weeks' notice of any LWOP requests. If LWOP extends beyond 12 months, the employee must resign from their position.

- 3.8 **Time in Lieu (TIL)** – TIL is a leave accrual for those employees on the field and who have signed an IFA with TIL included. It is paid at the employees' base rate of pay for ordinary hours. A Leave Application form is required to be completed when applying for TIL. This leave is to be used for wet days and before annual leave is taken. Apart from when being used for wet days, any TIL leave needs to be applied for 4 weeks in advance. TIL is paid out when employment ends for whatever reason.
- 3.9 **Study Leave** – Employees who are studying/training through an approved course by NCC may be approved to have time off for study purposes or exams. This will be approved on a case by case basis by Senior Management.
- 3.10 **Public Holiday** – Employees who normally work on the day a public holiday falls will be paid their base pay rate for the ordinary hours they would have worked. If working away from head office the public holidays in the area of work are what applies. Casual employees will not be paid for Public Holidays.
- 3.11 **Family and Domestic Violence Leave** – All employees (including part time and casual) can access 10 days of paid family and domestic violence leave each year. Employees who are experiencing family and domestic violence can take this leave to deal with the impacts of family and domestic violence where it is not practical to do so outside their work hours. If this leave is taken, it will be treated by NCC with the upmost privacy and confidence.

#### 4. Definitions

4.1 **Immediate Family** – according to Fair Work immediate family is a:

- 4.1.1 Spouse or former spouse;
- 4.1.2 De facto partner or former de facto partner;
- 4.1.3 Child;
- 4.1.4 Parent;
- 4.1.5 Grandparent;
- 4.1.6 Grandchild;
- 4.1.7 Sibling; or
- 4.1.8 Child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner (or former spouse or de facto partner).

This definition includes step-relations (e.g. Step-parents and step children) as well as adoptive relations.

4.2 **Household Member** – is any person who lives with the employee.

#### 5. Responsibilities

It is the responsibility of the employee to apply for leave for the period of their absences, as soon as possible and in accordance with this Policy. This is so their supervisor can make other work arrangements in their absence. It is the employee's responsibility to make sure that the leave has been approved before proceeding to take that leave. Wherever possible, Leave Application form (HR-FM-010) is to be completed prior to commencement of that leave. Where this is not possible, such as Personal Leave, then the Leave Application Form is to be completed as soon as the employee is back at work, and signed by their supervisor.

If the above Policy is not followed in any way, NCC at its discretion will take disciplinary measures in the form of warnings and possible dismissal, in accordance with Disciplinary Policy (HR-POL-017).

NCC Top Management assume the ultimate responsibility for Quality, Safety and Environmental requirements and core business practices in the workplace. NCC Senior Management plan, manage, monitor, review, and direct actions and allocate resources to support workers at every level to identify hazards, assess, control and evaluate risk in all areas of NCC operations.



Barry C O'Sullivan  
 Director  
 Newlands Civil Construction Pty Ltd AND  
 Newlands Commercial Construction Pty Ltd

3 November 2023