

# EXTRACT

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## **57. RECOGNITION OF PRIOR SERVICE FOR THE PURPOSES OF SICK LEAVE AND LONG-SERVICE LEAVE CREDITS**

**57.1** For all employees commencing employment with the University on or after the date of certification of this agreement, the University will recognise prior service for the purposes of sick leave and long-service leave credits only as follows:

**57.1.1** With other publicly-funded Australian Universities and TAFE Colleges/Institutes; and

**57.1.2** With privately-funded Universities whose Chief Executive Officer is a member of Universities Australia.

**57.2** Provided that an employee will not be entitled to have service recognised from the organisations specified in sub-clause 57.1 above, if the employee's break in service exceeds six months. This also applies to former University employees who re-join the University after a period of six months.

**57.3** Notwithstanding any of the above, service in other circumstances may be recognised at the discretion of the Vice-Chancellor or the Vice-Chancellor's nominee.

**57.4** Where service with a previously recognised employer is accepted for long-service leave credit, the University may require that a period of service with the University of not more than three years be completed before an employee is eligible to take long-service leave.

**57.5** Entitlements of employees engaged prior to the date of operation of this Agreement are not affected by the operation of this Clause and will remain as per the previous Agreement or as outlined in their employment contract.

**57.6** Where more than ten years' service is recognised by this University from other organisations or where there is entitlement to be paid out long-service leave accruals, new employees must seek to be paid out any such entitlement from their previous employer. Such service will count only towards the period of qualifying service for long-service leave and will not be subject to leave credits.

**57.7** From the date this Agreement becomes operative, an employee with continuous casual service prior to 1 October 1999 will have 12 months in which to make a claim to the University for recognition of such casual service for the purpose of long service leave entitlement.

**57.8** Once 12 months expires from the date on which this Agreement becomes operative, for the purpose of determining long service leave entitlements for prior casual service, the University will recognize casual service from 1 October 1999 onwards only. Casual service accrued prior to 1 October 1999 will not be recognized.

For the avoidance of doubt all recognition of casual service for long service leave shall be in accordance with clause 51.12 of this Agreement.

**57.9** Any period of up to 52 weeks break between fixed term appointments shall not constitute a break in service if:

- a) the break commenced not less than thirteen weeks before the expected birth of a child to the employee or the employee's spouse;
- b) at the commencement of the break, the employee had at least 12 months' service with the University;
- c) the employee was the primary care-giver following the birth of that child;
- d) the employee did not engage in employment during the break (other than on an occasional or short-term and ad hoc basis); and
- e) the University is advised of these circumstances no later than three months after the re-commencement of employment after the break.

The University may require an appropriate declaration of facts to support such advice, and shall not refuse to employ a person because they have or may have an entitlement to continuity of service in these circumstances.