



**uniting  
church**  
in Australia,  
Synod of NSW & ACT

## Leave Without Pay Policy

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## 1. Overview/Background

The Synod of NSW and ACT ('**Synod**') acknowledges there may be times when an employee requires an extended period of absence from work, for example, for education purposes, alternative work experience (including volunteer work) or to care for a seriously ill loved one, or a child requiring some special care. Leave Without Pay may be granted to an employee where special circumstances have arisen.

## 2. Purpose of Policy

This policy provides information in relation to the Leave Without Pay ('**LWOP**') including the circumstances under which it may apply. LWOP is separate to unpaid parental leave. Unpaid parental leave is addressed in our Parental Leave policy.

## 3. Applicability (scope)

This policy applies to all permanent and fixed-term employees of the Synod regardless of whether they are full-time or part-time ('**employees**').

LWOP is authorised leave without pay, agreed to (usually in advance) between the Synod and the employee. It is different to unauthorised leave (which is addressed later in this policy).

## 4. Responsibilities

**The Director, People and Culture** has responsibility for the development, implementation and management of this policy.

**Payroll** has responsibility for making salary adjustments and for accurately recording periods of unpaid leave and their impact on other benefits (such as superannuation and long service, personal and annual leave accruals).

**People Managers** have responsibility for properly considering all requests, and the impact to the team, and for providing a timely response for all applications made under this policy.

**Employees** have responsibility for discussing their need or desire for leave without pay with their People Manager well in advance of making application (where practicable).

## 5. Principles

### 5.1 Who can access LWOP?

LWOP is available to employees in circumstances where they have insufficient annual leave or, in the case of illness or injury of themselves or of an individual for whom they have carer responsibilities, or personal leave.

### 5.2 Under what circumstances will LWOP be considered?

Our objective is to provide flexibility to our people whilst also balancing our business needs. For that reason, LWOP should not be considered a right. LWOP will be considered having regard to the merits of an employee's situation.

In instances where more than five consecutive days' LWOP is sought, accrued annual leave (and long service leave where applicable, and purchased leave if available) are to be utilised prior to the LWOP being granted.

### **5.3 How much LWOP might I be able to take?**

This depends on the circumstances, and requests will be assessed on a case by case basis. A period of up to 12 months' absence may be extended in compassionate or carer situations or where an employee wishes to take time out to study or fulfil a Synod-approved alternative work or volunteer experience.,

In cases of long term LWOP, it's expected that the period of absence would comprise a combination of the employee's accrued annual leave, long service leave and LWOP.

However, where the LWOP is requested for recreation purposes, a much shorter period is likely to apply, generally up to two weeks. Longer periods may be approved at the sole discretion of the employee's Director and People and Culture.

Although the Synod reserves the right to decline applications for LWOP, we will endeavour to meet any reasonable requests made by employees. In considering employee applications, we will review the employee's leave balances, any past periods of LWOP and the reasons for their request.

## **6. Impact of taking LWOP**

Leave entitlements including annual leave, personal leave and long service leave do not accrue during periods of LWOP.

Except as required by law, public holidays and Christmas Gifted Days are not paid during extended leave of absence.

As superannuation is levied on an employee's pay, superannuation contributions are not made during periods of leave without pay.

Extended leave of absence will not break an employee's continuity of service but it is not counted towards an employee's total length of service (e.g. for long service leave accruals).

## **7. Unauthorised LWOP**

An unauthorised absence is absence from the workplace that has not been previously agreed.

Depending on the circumstances, an unauthorised absence from work is likely to result in disciplinary action up to and including termination of employment, depending on the length of the absence and the reason for it.

In circumstances where genuine incapacity prevented the employee from contacting the Synod about their absence, (and the employee can provide evidence of their reason), disciplinary action is unlikely to apply provided the employee contacts the Synod as soon as they are able.

## **8. Other Policies**

This policy should be read in conjunction with our leave policies and our workplace flexibility policy.

## **9. Terms and Conditions**

This policy does not form part of any contract of employment or contract of engagement and may be amended, replaced or revoked at any time by the Synod at its discretion.