



Australian Government

Department of Jobs and Small Business

Serious Illness Register Policy

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1. Purpose

- 1.1. To outline the policy of the Department of Jobs and Small Business (the department) on the Serious Illness Register.

2. Date of effect

- 2.1. This policy commences on the commencement of the Department of Jobs and Small Business Enterprise Agreement 2019-2022.

3. Application

- 3.1. This policy applies to all non-SES department employees (except casuals) whose terms and conditions of employment are covered by the department's Enterprise Agreement.

4. Legislative framework

- 4.1. This policy needs to be read in conjunction with:
 - a) Public Service Act 1999
 - b) Fair Work Act 2009
 - c) Safety, Rehabilitation and Compensation Act 1988
 - d) Department of Jobs and Small Business Enterprise Agreement (the Enterprise Agreement).

5. Principle

- 5.1. The department provides access to donate to and access leave credits from the Serious Illness Register.
- 5.2. The Register is a central repository into which employees can donate an amount of their accrued personal/carer's leave credits. This leave may be accessed by other employees who are experiencing hardship due to a non-compensable serious illness or injury.
- 5.3. The Register provides the following benefits:
 - a) access to additional leave credits (**register of leave credits**), provided by other employees' generosity, subject to clause 6.9; and
 - b) flexibility and recognition of work/life issues by extending workplace support to include hardship that may arise from serious illness or injury.

6. Administrative information

- 6.1. Employees with a minimum of 36 personal/carer's leave days accrued may donate a maximum of two days' personal leave in any calendar year to the Register.
- 6.2. Paid leave accessed from the Register is not an entitlement under the *Fair Work Act 2009* National Employment Standards or the Enterprise Agreement.
- 6.3. However, the department recognises employees may suffer a non-compensable serious illness or injury whilst employed within the department and may not be able to continue with their standard work hours or may require extended periods of absence.
- 6.4. Ongoing employees who have passed probationary requirements and who have a non-compensable serious illness or injury, supported by appropriate medical certification, and who have exhausted their paid leave credits under the Enterprise Agreement, may apply to access the Register leave credits.
- 6.5. Eligible employees may access up to 60 days' worth of Register leave credits from the Register while they have no paid leave credits. However, further applications to the Register will be considered on a case-by-case basis. This will be on a pro rata basis for part time employees.
- 6.6. Paid leave credits include personal/carer's leave, annual leave, and long service leave.
- 6.7. Leave access from the Register will not attract the payment of allowances paid under the Enterprise Agreement, and allowances will cease to be paid during the applicable period of absence.
- 6.8. Where possible, staff who have income protection or the ability to access financial support via superannuation schemes should seek to utilise this option in the first instance.
- 6.9. Access to the Register will only be provided in instances of non-compensable serious illness or injury, including mental illness or injury, not arising out of, or in the course of, or contributed to by, the employee's employment by the Commonwealth, that requires an employee to be absent from work. A serious illness or injury may include, but is not limited to, such conditions as:
 - stroke
 - cancer
 - heart attack
 - severe injury from an accident or other event
 - recovery from major surgery
 - final stages of a terminal illness.
- 6.10. Approval is granted at the sole discretion of the Director, Performance and Wellbeing Team, People Branch, in consultation with relevant line area.

- 6.11. If an employee accrues leave credits during a period when they are accessing leave from the Register, then the new leave accrual will be used from the date of accrual.
- 6.12. Employees who donate to the Register have no personal discretion over who is granted access to the Register under this policy or how their personal/carer's leave credits are allocated.

7. What is expected of me under this policy?

7.1. Notice and Medical Certification

- a) If the need to access the Register is foreseeable and/or includes planned medical treatment, employees are expected to provide advance notice of their application to access the Register.
- b) In emergencies, when advance notification is not possible, employees, or their representative, are expected to provide notice within 10 working days of the commencement of the employee's leave of absence.
- c) Any application to access the Register requires supporting medical evidence. The medical evidence must confirm the nature of the illness or injury and the expected length of incapacity for work.

7.2. To access the Register, employees will:

- a) Discuss their need to access the Register with their manager and the Performance and Wellbeing Team.
- b) Complete a Serious Illness Register Application form.
- c) Provide the completed form and medical evidence from an appropriate medical practitioner or medical specialist to the Performance and Wellbeing Team, People Branch.

7.3. To donate to the Register employees should:

Complete a Serious Illness Register Donation Form and forward to PerformanceandWellbeing@jobs.gov.au for processing. The employee's HUB record will indicate the amount of donated personal/carer's leave that has been deducted from their personal/carer's leave balance for deposit in the Register.

8. What assistance is available

- 8.1. The Performance and Wellbeing Team, People Branch can provide guidance and assistance to employees and managers of employees wishing to access leave from the Register.
- 8.2. The Performance and Wellbeing Team can provide guidance to employees wishing to donate leave to the Register.

9. Resources

- Serious Illness Register Application Form
- Serious Illness Register Donation Form

Policy Owner	Performance and Wellbeing Team
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