

**POLICY NAME:** UNTAKEN SICK LEAVE  
**POLICY REF:** U03  
**MEETING ADOPTED:** 27 October 2011  
Resolution No. 271011/ 20  
**POLICY HISTORY:** 240102/005; 131290; 251182; 230982



---

## TABLE OF CONTENTS

OBJECTIVE .....	1
BACKGROUND .....	1
DEFINITIONS.....	1
SCOPE OF POLICY .....	1
RELATED DOCUMENTATION .....	1
POLICY .....	1
REVIEW .....	2

## OBJECTIVE

This policy sets out the guidelines for the payment of untaken sick leave on the cessation of employment for employees engaged by Council prior to 24 January 2002.

## BACKGROUND

The policy provides for payment of 50% of untaken sick leave to a maximum of 52 weeks, subject to various conditions, including a minimum of 10 years continuous Local Government service. The policy came into being following Council resolutions in September and November 1982. In October 1990 the Department of Local Government recommended limiting the provisions to existing employees only, however Council at its December 1990 Ordinary Meeting resolved not to alter the policy.

In January 2002 Council resolved that the policy would no longer be applicable to employees engaged from 25 January 2002.

## DEFINITIONS

**Policy** Untaken Sick Leave Policy

## SCOPE OF POLICY

Applies to employees engaged by Council prior to 25 January 2002, with 10 years continuous Local Government service.

## RELATED DOCUMENTATION

Internal related policies include:

- Carers Leave policy
- Leave policy.

## POLICY

The following applies to employees engaged prior to 25 January 2002.

1. Employees must have a minimum of 10 years continuous Local Government service.
2. Payable on retirement, resignation or retrenchment. **NOT** payable if employee dismissed from Council service for any reason other than retrenchment due to economic factors or lack of work.
3. Entitlement 50% of untaken sick leave to a maximum of 52 weeks.

4. The rate of pay shall be calculated using the average pay determined in accordance with the Superannuation Act applying to Council staff.
5. For the purpose of determining eligible sick leave in respect of any employee transferring from another Council to Ballina Shire Council subsequent to 23 September 1982 only sick leave accrued in the service of the Ballina Shire Council shall be taken into account, however any sick leave used in the service of Ballina Shire Council shall be taken firstly from the amount transferred from the previously employing council.
6. On transfer of service to another Council (if eligible in accordance with Clauses (1) and (2), employees shall be entitled to 50% of any untaken sick leave to the employees credit, **after** effecting the transfer as per the award to the newly employing council and subject to the provisions of Clause (5).

## **REVIEW**

This policy is to be reviewed every four years.