



Leave without Pay Procedures

MACS schools

Purpose

This procedure outlines the entitlement to leave without pay (LWOP) for all staff employed by Melbourne Archdiocese Catholic Schools Ltd (MACS) who work in school environments.

Scope

This procedure applies to all employees working in school environments, including:

- principals
- deputy principals and other employees in leadership roles
- all other teaching employees
- all other non-teaching employees

The entitlement to LWOP for a secondary school principals employed by MACS is outlined in the Recommended Conditions of Employment for Secondary Principals.

The entitlement to LWOP for a MACS employee who is not covered by the *Catholic Education Multi-Enterprise Agreement 2022 (CEMEA 2022)* as varied or replaced from time to time will be as per their letter of appointment or, in the absence of such provision, the entitlement.

Procedures

1. Leave Without Pay is defined as a period of unpaid leave which is authorised or consented to by MACS. MACS recognises that employees may wish to access a period of LWOP for a multitude of reasons including furthering education, family, travel, volunteering or the desire to take an extended break when other forms of leave are not available.
2. LWOP is provided for in clause 26.1 of the CEMEA 2022 which outlines that LWOP is granted at the discretion of MACS and is not an accruable leave entitlement.
3. LWOP does not break continuity of service but is not to be considered in calculating the period of service for any purpose in the CEMEA 2022 where the period of LWOP is more than 15 days in a school year.
4. LWOP diminishes the entitlement an employee would otherwise have to school holidays, annual leave and leave loading under the CEMEA 2022 for periods of LWOP more than 15 days, in that school year, in direct proportion to the amount of LWOP taken.
5. An employee (except for a principal) who wishes to apply for a period of LWOP of less than one year is required to apply to their principal in writing and to provide a reasonable amount of notice having regard to the length of the proposed period of LWOP.
6. Where an employee is seeking a period of LWOP more than three months, the relevant principal must notify their regional general manager (RGM) of the request for its consideration.
7. An employee who wishes to apply for a period of LWOP for one year or more is required to apply to their principal in writing and to provide a minimum of one term's notice prior to the proposed commencement date. The relevant principal must notify their RGM of the request for consideration.
8. Prior to granting LWOP, the principal and/or the RGM will consider the educational and operational requirements of the school, which will include the timing of the leave, the length of the leave, the financial implications of the leave, the availability of replacement staff and the period of notice provided.

9. A Principal who wishes to apply for a period of LWOP will follow the Leave for Principals Policy and/or Procedure.

10. Returning from leave without pay

- 10.1. An employee who wishes to resume duty prior to the expiration of the approved LWOP is required to communicate with their principal who will have regard to the educational and operational needs of the school prior to deciding as to whether an employee can resume duty. It will be at the discretion of the principal and MACS whether the employee can resume duty prior to the completion of the approved period of LWOP.
- 10.2. The relevant RGM and director will consider a request from the principal. It will be at the discretion of the relevant RGM and Director as to whether a principal can resume duty prior to the completion of the approved period of LWOP.
- 10.3. Prior to resuming duty from an extended period of LWOP (i.e. four months or more), an employee is required to comply with the provisions in clause 26.1 of the CEMEA 2022 as varied or replaced from time to time.

Roles and reporting responsibilities

Role	Responsibility	Reporting requirement (if applicable)
Employee	Apply in writing to the principal for LWOP for periods of less than one year	
Employee	Apply in writing to the principal for periods of LWOP for one year or more	The principal must notify the relevant RGM for the request for consideration of applications for a period of LWOP more than three months

Definitions

Approved

Authorised in writing, as evidenced by signature of the nominated delegate.

Employee

Any person employed by MACS to perform work of a kind described in the classifications contained in the Catholic Education Multi-Enterprise Agreement 2022.

Melbourne Archdiocese Catholic Schools (MACS)

MACS is a reference to Melbourne Archdiocese Catholic Schools Ltd, and / or its subsidiary, MACSS.

MACS school or school

A school which operates with the consent of the Catholic Archbishop of Melbourne and is owned, operated and governed by MACS, directly or through MACSS (as the context requires). References to schools or MACS schools also includes boarding premises of schools operated by MACS and specialist schools operated by MACSS.

Melbourne Archdiocese Catholic Specialist Schools (MACSS)

Melbourne Archdiocese Catholic Specialist Schools Ltd, a wholly owned subsidiary of MACS established to conduct and operate specialist schools.

Principal

Individual appointed by MACS as principal in a MACS school.

Procedure

A step-by-step or detailed instruction for the implementation of MACS policy that is mandatory across MACS, MACS schools.

School environment

Means any of the following physical, online or virtual places used during or outside school/service hours:

- a campus of the school
- boarding premises
- online or virtual school environments made available or authorised by MACS or a MACS school for use by a child or student (including email, intranet systems, software, applications, collaboration tools and online services)
- other locations provided by the school or through a third-party provider for a child or student to use including, but not limited to, locations used for boarding premises, camps, approved homestay accommodation, delivery of education and training, sporting events, excursions, competitions and other events) ([Ministerial Order No. 1359](#)).

School staff

Means an individual working in a school environment who is:

- directly engaged or employed by a school governing authority
- a contracted service provider engaged by MACS (whether a body corporate and whether or not any other person is an intermediary) engaged to perform child-related work for a MACS school
- a minister of religion, a religious leader or an employee or officer of a religious body associated with MACS ([Ministerial Order No. 1359](#)).

Related policies and documents

Catholic Education Multi-Enterprise Agreement 2022 (CEMEA 2022)
Recommended Conditions of Employment for Secondary Principals

Policy information table

Approving authority	Director, People and Culture
Approval date	16 November 2023
Review by	November 2027
Publication details	Gabriel, CEVN
Superseded document	Leave without Pay Policy – Schools – v1.0 – 2021 (retired)
	New procedure