
WATER

WA301*

WATER BOARDS ACT 1904

BY-LAWS RELATING TO LONG SERVICE LEAVE FOR EMPLOYEES

Busselton Water Board

In pursuance of the powers conferred upon it by the abovementioned Act, the Busselton Water Board hereby records having resolved on the 19th day of May, 2003 to make and submit for confirmation the following By-laws relating to Long Service Leave for employees.

1. Repeal

All previous By-laws are repealed.

2. Interpretation

In these By-laws, unless the context otherwise requires:—

- (a) "Board" means the Busselton Water Board.

3. Entitlement to Long Service Leave

- (a) All employees of the Board shall, after each period of ten years continuous service as permanent full time employees thereof, be entitled to thirteen weeks long service leave.
- (b) An employee, if he or she elects to do so, may after the completion of seven years service take long service leave on a pro-rata basis.
- (c) Where an employee has served a period of casual service which is continuous with their permanent service, that period of casual service shall be deemed to be service for the purpose of accrual of the long service leave entitlement under these By-laws.

4. Taking Leave

(1) Where an employee is entitled to long service leave –

- (a) at least two months notice of the date from which the leave is to be taken shall be given by one party to the other unless otherwise agreed in writing between the parties;
- (b) the leave taken shall be inclusive of any public holidays allowable under the employees conditions of employment but shall not be inclusive of any annual leave;
- (c) the leave may be granted and taken in one consecutive period or, if the employee and the employer so agree, in not more than three separate periods.

(2) Long Service Leave shall be commenced within two years of becoming due.

(3) Absence on account of sickness shall not be deemed to be a break in continuity of service providing the period of absence shall not exceed three months in any year, unless otherwise decided by the Board.

(4) Employees due to take long service leave shall be paid at the same rate of ordinary pay as was paid in the week prior to taking such leave.

5. Leave on Half Pay

Where an employee commences a period of long service leave, the employee may, if the employee and his/her employer so agree in writing, be paid for each week of that period at half the rate at which he/she would otherwise be entitled under regulation 3 (a) and (b) to be paid, but only half of any period of leave in respect of which the employee is so paid shall be taken into account for the purpose of ascertaining the amount of leave, if any, to which he/she is thereafter entitled and for the purpose of applying the formula in regulation 4 (4).

6. Leave on Double Pay

Where an employee commences a period of long service leave the employee may, if the employee and his/her employer so agree in writing, be paid for each week of that period at double the rate at which he/she would otherwise be entitled under regulation 3 (a) and (b) to be paid, but double any period of leave in respect of which the employee is so paid shall be taken into account for the purpose of ascertaining the amount of leave if any, to which the employee is thereafter entitled and for the purposes of applying the formula in regulation 4 (4).

7. Long Service Leave a period of recuperation

Long Service Leave shall be considered as a special period of recuperation after a lengthy term of service with a view to fitting the employees for a further term of service, and during such leave no employees shall undertake any form of employment for hire or reward, unless by special permission of the Board. Any contravention of this subclause shall entitle the Board to dismiss the employee from its service and to cease paying or to recover any amounts paid in advance, of long service leave.

The Common Seal of the Busselton Water Board was affixed hereto in the presence of:—

D. REID, Chairman.
D. G. McCUTCHEON, Chief Executive Officer.

Dated: 10 June, 2003.
