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fact sheet

Telstra Annual Leave Entitlements

GENERAL

Annual leave is an entitlement for Telstra full-time or part-time employees (including supplementary workers) who are employed under Awards and CEPU Enterprise Agreements (EA). (Employees on Australian Workplace Agreements (AWAs) are not covered by Telstra Awards and EAs.)

An employee may take annual leave, at their initiative, as it accrues, subject to agreement with Management. Management cannot unilaterally direct an employee when they will take their annual leave.

The Award states that annual leave will normally be taken within twelve months of its accrual unless deferral is agreed with the Manager.

It should be noted that deferred annual leave cannot be forfeited if it is not taken i.e. there is no compulsory period in which an employee must take annual leave or lose the entitlement.

ENTITLEMENTS TO ANNUAL LEAVE

“Day Workers” (Non 7-Day Shift Workers)

A full-time or part-time employee (other than a 7-day Shift Worker – see below) is eligible for four weeks annual leave for every twelve months of continuous employment with such leave accruing progressively. A part-time employee will be eligible for pro-rata leave determined by the ordinary hours he/she normally worked.

7-Day Shift Workers

An employee working a 7-Day shift, whose ordinary hours of work regularly fall on a Sunday and Public Holidays, is eligible for an additional seven consecutive days annual leave including non-working days. Where work is rostered on less than ten Sundays in the year, the additional leave will accrue at the rate of half a day for each Sunday worked, up to a maximum of five days.

A rostered overtime shift of three hours or more, which starts or finishes on Sunday, will count in the calculation for additional leave for 7-Day Shift Workers.

TAKING OF ANNUAL LEAVE

An employee may take annual leave as it accrues, at the employee's initiative, subject to the agreement of his/her Manager.

The annual leave will normally be taken within twelve months of accrual, unless deferral is agreed with the Manager.

Telstra policy states that deferred annual leave cannot be forfeited.

It is the CEPU's experience that where agreement cannot be reached between an employee and Management for annual leave to be taken within twelve months of its accrual, there is no alternative but for Management to agree to a deferral.

Inadequate staffing levels is the usual reason Management give for not agreeing to the employee taking leave at a time requested by the employee but this does not give the Management the right to unilaterally nominate the time when an employee will take annual leave.

Generally, this situation compels Management to come to a satisfactory arrangement with employees by the use of rosters and fair processes. It should be remembered that employees have rights in determining when they will take their annual leave and there is clearly no provision in the Telstra Awards or Enterprise Agreements for Management to direct employees when they will take annual leave.

LEAVE PAYMENT AND LOADING

The pay for annual leave is the employee's pay rate at the time he/she takes annual leave **plus** the greater of:

1. 17.5% of the pay rate for the period of the annual leave taken; **or**
2. any additional amount which he/she would have received for working ordinary hours on a shift or Saturday or Sunday had he/she not been on annual leave.

The payment of 17.5% is subject to a maximum payment of the equivalent of the Australian Bureau of Statistics Male Average Weekly Total Earnings figure for the preceding September quarter. The maximum rate for 2005 is \$1081.20.

PUBLIC HOLIDAYS OR SICK LEAVE FALLING IN ANNUAL LEAVE

If a public holiday falls within an employee's annual leave on a day which would have been an ordinary working day, extra time equivalent to the public holiday will be added to the employee's annual leave.

If an employee takes paid sick leave of one day or more supported by a medical certificate during his/her annual leave, extra time equivalent to the sick leave will be added to the employee's accrued annual leave.

AWAs

Provisions of the above Telstra Awards/EAs do not apply to employees who have signed AWAs. Annual leave, and when it is taken, is governed by the contents of the AWA and is usually subject to Telstra "Policy", which is not subject to Union agreement.