

LEAVE (PART 1)

WHAT YOU

need to know

Resources for Doctors-in-Training

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What types of leave are available to me as a doctor in training?

There are numerous types of leave available to you as doctors in training. In this edition we will look at annual leave, sick leave, FACS or personal/carer's leave and special leave during COVID-19.

ANNUAL LEAVE

How much annual leave am I entitled to?

A full-time employee is entitled to 4 calendar weeks annual leave each year.

Are there circumstances where I might accumulate more annual leave than the standard 4 weeks?

Yes. There are a few different scenarios where you could accumulate additional annual leave.

- If you are required to work on a public holiday (as listed in the Award), you will have a day of annual leave added to your balance for each public holiday worked.
- If a public holiday falls on a rostered day off, you will have a day of annual leave added to your balance.
- Additional annual leave may also be accrued for working Sundays.

Can I be paid out my 'additional annual leave' instead of taking leave?

Yes. If you have accrued additional annual leave from working Sundays and/or public holidays you can elect at any time to be paid an amount equivalent to the value of accrued additional annual leave in lieu of taking additional leave. There may be conditions associated with this.

How can annual leave be taken?

Annual leave is generally taken in one consecutive period.

You can take annual leave in two or three separate periods if agreed between you and your employer.

When can I take my annual leave?

Your employer will give you at least two months' notice of the date from which your annual leave is to be taken.

Annual leave should be taken within the 6 months following the entitlement being granted.

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What if I fall ill during my annual leave?

Can I change the leave type?

If you become unwell for a period of 1 week (or more) while on annual leave, you can apply to have that period of time re-credited to your annual leave entitlement and debited against any accrued sick leave entitlement.

You will need a medical certificate to support your application.

What if a public holiday falls during my leave?

You will be paid a full pay in respect of each public holiday occurring within the period of annual leave (i.e. you will not need to use your annual leave for a public holiday).

What happens to my leave balance when I change locations at the end of a term/rotation?

Assuming you will continue to be employed within NSW Health, your leave entitlements will transfer with you. Leave balances are not paid out if you are remaining within NSW Health's employment.

What happens to my annual leave entitlement if my employment is terminated for any reason?

Any annual leave accrued but not taken will be paid out on termination.

If you transfer to another state or territory for any reason (e.g. secondment, training, employment), your annual leave entitlements will not be recognised by the interstate public hospital and cannot transfer with you.

SICK LEAVE

How much paid sick leave am I entitled to?

Full time employees are entitled to 76 hours of paid sick leave per year.

When can I access my paid sick leave?

You can access paid sick leave after the first three months of employment.

If you are unwell in the first three months, you can take unpaid sick leave.

Do I need a medical certificate?

You will need a medical certificate for absences of more than two days.

Who do I need to tell if I am sick?

You will need to notify your supervisor of your absence prior to or at the beginning of your shift. This procedure may vary from hospital to hospital.

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What happens to my leave balance when I change locations at the end of a term/rotation?

Assuming you will continue to be employed within NSW Health, your leave entitlements will transfer with you. Sick leave balances cannot be paid out.

Is sick leave paid out on termination?

Accrued sick leave is not paid out on termination.

FAMILY & COMMUNITY SERVICES LEAVE – PERSONAL/CARER'S LEAVE

What if my child or other immediate family member is sick or injured?

If your child is sick or injured, you can access Family and Community Services Leave (FACS Leave) or Personal/Carers Leave.

How much FACS leave am I entitled to?

A full-time employee is entitled to 3 days paid FACS leave during the first year of service, and thereafter 6 days in any period of two years.

What else can FACS leave be used for?

FACS leave can also be used to accompany a relative to a medical appointment where there is an element of emergency, parent/teacher meetings, education week activities and where a child carer is unable to look after your child.

FACS leave can also be used to attend a funeral of a relative and to meet elder-care requirements of a relative.

What is personal/carer's leave?

Personal/carers leave is the use of your sick leave to care for a family member or relative. This might be a spouse, de facto spouse, partner, child, blood relative or member of your household.

SPECIAL LEAVE : COVID-19

What is special leave: COVID-19?

If you are sick and you have exhausted your sick leave entitlements, you may be granted special leave. If you are directed not to attend work but are otherwise well you may be granted special leave.

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If you have any questions with regards to the information contained in this document or related to leave, please contact our Workplace Relations team on 9439 8822 or via workplace@amansw.com.au



What if I am required to self-isolate but I am otherwise well?

If you are required to self-isolate/stay home but are otherwise well, you may be requested to work from home. If you cannot undertake your substantive duties from home, you may be assigned other meaningful work which could be performed at home. For example, telehealth, project work, completion of mandatory training etc.

What if there isn't any work I can do from home?

If there is no work you can undertake from home and you are required to self-isolate then you should be able to access special leave.

What if I am unwell and suspect I may have COVID-19?

If you are unwell and unable to work, due to suspected COVID 19 or other, you should take sick leave.

What if I am still in the qualifying period for paid sick leave and I am unwell?

Health agencies have been encouraged to allow employees to access their paid sick leave during the COVID-19 crisis.

What if I have to care for my child who has been directed to stay away from school/daycare?

You can access FACS leave to care for children who are required to stay home. Special leave is not being granted for this purpose.

What happens if I am overseas and can't return home?

You can use any available FACS leave if you're unable to return home due to COVID-19. Districts should be flexible with other leave requests (e.g. ADO, Annual and Long Service Leave and Leave without pay) if FACS leave has been exhausted. Special leave is not granted for this purpose.



MORE INFORMATION

The [Award](#) and NSW Health [Policy Directive](#) also provide more detailed information on leave.

This information is for general guidance only and should not be used as a substitute for obtaining specific assistance or advice. AMA (NSW) will not be liable for any decision made or action taken in reliance on the information in this document.

The information included in this document was collated citing the Public Hospital Medical Officers (State) Award 2023 and NSW Health Policy Directive PD2023_045 - Leave Matters for the NSW Health Service.



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