

CALCULATING SICK LEAVE ENTITLEMENT

Recently we had a call from a child care centre where the manager had just become aware that they had been calculating sick leave entitlements incorrectly. Following our discussions with management and administration staff from this centre, we realized that the same misunderstanding about the calculations could be quite widespread. Put briefly, in the first year of continuous service an employee is entitled to a proportion of the sick leave entitlement as described in the relevant award. For each later year of continuous service, an entitlement of 10 working days' sick leave accrues at the *beginning* of the year. Here is how it works:

Child Care (SA) Award:

In the first year of continuous service, a part time or full time staff member is entitled to leave at the rate of 1/26 of his or her weekly normal hours for each week of service.

Say Jane started working in your service 13 weeks ago in a part time (not casual) position for 20 hours per week. She has taken no sick leave, but now has a throat infection and must take time off work. If we divide 20 (weekly normal hours) by 26, we see that Jane has accrued .77 hours per week of sick leave, and is entitled to take .77 hours x 13 (weeks of service) paid sick leave. Therefore she has accrued an entitlement to 10.01 hours sick leave.

If Jane takes this leave, then takes no more sick leave for the rest of the year, the remaining 30.03 hours of sick leave entitlement she accrues this year will be added to her entitlement for the next 12 months of service.

At the commencement of the second year, and at the commencement of each year of continuous service after that, a part time or full time staff member is entitled to another grant of 10 (FTE) working days sick leave.

In Jane's case, working a 20 hour week, she will accrue another 40.04 hours of sick leave entitlement at the commencement of her second year. Added to the 30.03 hours unexpended from this year, Jane will have a total entitlement of 70.07 hours from the beginning of her second year of continuous service.

Clerks (SA) Award:

Maurice is the clerical officer employed by a child care centre. According to the Clerk's (SA) Award, Maurice's entitlement is calculated slightly differently to Jane's in the first year of service, but the outcome is similar. In his first year of service, Maurice accrued 1.46 hours of sick leave entitlement for each completed 38 hours of work (to a maximum of 76 hours entitlement in one year).

At the commencement of the second and subsequent years of service, a full time clerk would immediately accrue another 76 hours of sick leave entitlement. For a part time employee such as Maurice, the entitlement is calculated by dividing 76 by 38, and multiplying by the average weekly ordinary hours over the previous 12 months. Therefore, Maurice, who worked 20 hours per week for the first year, accrued 40 hours of sick leave entitlement at the commencement of the second year.

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Even though the calculation methods in the two awards are different, the intention is the same and the following table can be used to calculate sick leave entitlement under both awards.

Hours worked per week	Hours of Sick Leave entitlement per week
15	0.58
16	0.62
17	0.65
18	0.69
19	0.73
20	0.77
21	0.81
22	0.85
23	0.88
24	0.92
25	0.96
26	1.00
27	1.04
28	1.08
29	1.12
30	1.15
31	1.19
32	1.23
33	1.27
34	1.31
35	1.35
36	1.38
37	1.42
38	1.46

Remember, the conditions outlined in an award are the compulsory bottom line standards of employment, so you cannot provide less than these entitlements, but you may choose in certain cases to better them.

For more information about sick leave entitlements, refer to Part 7, Clause 7.2 of the Child Care (South Australia) Award and Part 7, Clause 7.2 of the Clerks' (South Australia) Award. Copies of the awards may be downloaded from www.eric.sa.gov.au. Follow the *Wages and Conditions* link to *State Awards and rates of pay*.

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