

5.5.3 Application requirements

An application for personal/carer's leave must be in writing, and if personal/carer's leave is applied for with pay, the application must be accompanied by a medical certificate or other satisfactory evidence where:

- (a) the absence exceeds two (2) consecutive days; or
- (b) the employee has previously been absent for an aggregate of six (6) days without production of a medical certificate during the current year of service; or
- (c) in the event the days taken are connected to a public holiday.

5.5.4 The term "*Immediate Family*" will be as defined in clause 1.8.20.

5.5.5 Unpaid Personal /Carer's Leave

An employee may take unpaid personal leave/carer's leave by agreement with the employer. Where the absence exceeds two (2) consecutive days or the employee has previously been absent for an aggregate of six (6) days without production of a medical certificate during the current year of service, must be accompanied by a medical certificate or other satisfactory evidence if requested. In the event the days taken as unpaid personal leave/carer's leave are connected to a public holiday the employer will require a medical certificate.

5.5.6 Should an employee be absent from work on personal/carer's leave, an employee must provide notice to the employer (or authorised agent) as soon as practicable (which may be a time after the leave has started) advising of the period, or expected period, of the leave.

5.6 Additional Personal Leave

The provisions of this clause apply to full-time and regular part-time employees, but do not apply to casual employees, unless otherwise prescribed.

5.6.1 Amount of Paid Additional Personal Leave

- (a) An employee will be entitled to 10 days paid additional personal leave per annum. This additional personal leave is non-cumulative and may be accessed in accordance with this clause (clause 5.6).
- (b) 10 days of additional personal leave will be available to the employee from the first day of each year of service.

5.6.2 Paid additional personal leave will be available to an employee when they are absent due to:

- (a) Emergency Leave taken on compassionate grounds because of the death of a member of a person's immediate family or in cases of domestic emergency or natural disaster; or
- (b) Family Leave; or
- (c) Ceremonial and Cultural Leave; or
- (d) Pandemic Leave; or
- (e) Infectious diseases leave; or
- (f) Reproductive Health Leave; or
- (h) Additional Non-Primary Carer/Spousal Leave

The term "*Immediate Family*" will be as defined in clause 1.8.20.

5.6.3 Emergency Leave

- (a) Emergency leave of up to five (5) days may be granted from additional personal leave (clause 5.6.2), in cases of:
 - (i) domestic emergency because of the remoteness of the Northern Territory;
 - (ii) compassionate leave (clause 5.7);

- (iii) natural disaster; or
 - (iv) any other matter which would be considered an emergency/disaster.
 - (b) In the case of clause 5.6.3 (a) (iv), the employee will, in the first instance, discuss the matter with the Principal prior to taking leave, unless it is not reasonably practicable.
 - (c) Emergency leave as provided in this clause (clause 5.6.3) is non-cumulative.
 - (d) All employees (except casual employees) may access up to two (2) days paid emergency leave for each permissible occasion to a total of five (5) days per year.
 - (e) If needed, other forms of accrued leave may be taken in conjunction with emergency leave. In the case of long service leave the provisions of clause 5.1 (Long Service Leave) will apply.
- 5.6.4 Family Leave
- (a) An employee is entitled to up to three (3) days paid leave per annum from their additional personal leave to attend functions or events involving members of the employee's immediate family (as defined), where such function or event are located outside the Northern Territory.
 - (b) Evidence of the significant nature of the family function or event must be provided to the employer.
- 5.6.5 Ceremonial and Cultural Leave
- (a) An employee who provides evidence that they are legitimately required by First Nations tradition to be absent from work for ceremonial purposes is entitled to two (2) days paid leave to be taken from their additional personal leave entitlement.
 - (b) An employee who provides evidence that they are legitimately required by First Nations tradition to be absent from work for ceremonial purposes is entitled to up to six (6) weeks unpaid leave in any one (1) year for this purpose, provided that leave is granted only with the authority of the employer.
 - (c) An employee who has a representative role in the First Nations Community is entitled to use up to two (2) weeks of their annual leave entitlement or unpaid leave as a part of their entitlement in this clause.
 - (d) Where an employee exhausts their ceremonial and cultural leave entitlements under this clause may access long service leave, if eligible, to attend ceremonial and cultural leave for a minimum of one (1) week to a maximum of four (4) weeks.
- 5.6.6 Pandemic Leave
- (a) Subject to paragraph (b), an employee is entitled to five (5) days of additional personal leave (non-cumulative), where a health pandemic/epidemic is declared by the Chief Medical Officer.
 - (b) An employee must exhaust their personal/carer's leave due to the matters identified in paragraph (e) before accessing pandemic leave. If the employee is subsequently sick in the same year, the employer will recredit the employee's personal/carer's leave entitlement up to the maximum number of pandemic leave days taken.
 - (c) A health pandemic/epidemic means a critical health issue, as identified by a declaration of a public health emergency made by the Chief Medical Officer under Section 48 of the *Public Health and Environmental Act 2011* with respect to an actual or potential health pandemic/epidemic.
 - (d) Pandemic/epidemic leave is available to full-time, part time and casual employees.
 - (e) An employee may apply for additional personal leave if any of the following occur: