

RETENTION LEAVE 5 YEAR CLEAR/LOSS PROCESS

FREQUENTLY ASKED QUESTIONS

Retention Leave is a leave entitlement accrued employees with 15 or more years of continuous service in the public sector and came into effect from 1 July 2011. It replaced a previous entitlement where employees received additional Long Service Leave days once they had completed 15 years of service.

In accordance with the *Statutes Amendment and Repeal (Budget 2012) Act 2012*, any Retention Leave entitlement that is not taken or cashed out (as per rules below) within 5 years, as at the end of the financial year in which it accrues, will lose this entitlement and it will not be payable.

You have received an advisory because you will potentially lose the Retention Leave entitlement still owing to you from the 2019/20 financial year, if it is not taken prior to 30 June 2025.

Listed below are some of the frequently asked questions regarding Retention Leave and the 5-year clear process which might assist you with any queries that you may have.

- **What is the impact if I lose Retention Leave Days?**

You will lose the entitlement for this leave. You will see this as a reduction in the Retention Leave balance shown on your pay slip and in HR21 self-service.

- **What is the impact if I lose Retention Leave Hours?**

Any of the reported hours that are not used will be forfeited on the 1 July 2025. You will see this as a reduction in the Retention Leave balance shown on your pay slip and in HR21 self-service.

- **Can I take part day Retention Leave?**

Retention Leave can only be taken in whole days. If you have been advised you will lose less than a day, you can apply to take one day of Retention Leave (on the proviso your current total Retention Leave balance is greater than one day). In this scenario we will deduct the oldest leave accrual first meaning you will not forfeit leave).

- **The advisory indicates that I will be losing Retention Leave Days, but will not be losing hours. What does this mean and what do I have to do?**

This is common for employees who have had part-time or casual service. Retention Leave days are still owing from your 30/06/2020 entitlement, however you have used all of the hours that you had accrued for the same period.

If you choose not to take the Retention Leave days owing from 30/06/2020 entitlement, you will forfeit the entitlement. However, you will not be disadvantaged financially as you have previously received payment for all of the hours that you had accrued prior to 30/06/2020.

- **The advisory indicates that I will be losing Retention Leave hours, but will not be losing days. What does this mean and what do I have to do?**

This will occur when employees reduce their hours worked over a period of time.

You can choose to take the Retention Leave hours prior to 30/06/2025 (pending your manager's approval).

Alternatively, you can choose to swap either Annual or Long Service Leave you have taken in the past 12 months for Retention Leave (pending your manager's approval). To do this you can complete the leave cancellation and re-apply for Retention Leave via HR21 or complete a leave application form documenting the amendments. Please note, if you choose to swap Annual Leave for Retention Leave the leave loading you were paid will be recouped in the next available pay (leave loading is not payable on Retention Leave).

If you choose not to take the Retention Leave hours owing from 30/06/2020 prior to 30/06/2025, the entitlement will be forfeited.

- **The days and hours that I've been advised I will lose do not correspond with each other E.g. 7.5 Hours and 0.5 day will be lost, what do I need to do?**

To avoid loss of Retention Leave hours it is recommended that you either take the Retention Leave hours prior to 30/06/2025 or amend Annual or Long Service Leave that you have taken in the past 12 months (pending your manager's approval).

Where you have less than a day (or part days e.g. 1.4 days) of Retention Leave remaining from your 2020 entitlement, you can apply to take the leave in whole days. In the scenario where I'm advised I could lose 1.4 days, I would need to take 2 days of Retention Leave prior to 01/07/2025. You can do this on the proviso your current total Retention Leave balance is greater than the leave you are taking.

If you choose not to take the Retention Leave owing from 30/06/2020 prior to 30/06/2025, the entitlement will be forfeited.

- **If I request a certain number of days of Retention Leave, how many hours will be paid?**

The hours you are paid whilst on Retention Leave will correspond with the rostered shift length that you have taken on the Retention Leave day.

E.g. a part-time administration officer rostered to work 6 Hours a day, will receive 6 hours for 1 day of Retention Leave.

- **Will my days owing equate to my standard roster/contract hours per day?**

In most cases where you have changed contract hours or work additional shifts in excess of your contract hours (during your service), your Retention Leave days will not correspond with the hours owing.

The Retention Leave hours will determine the days you can take.

E.g. a Nurse working an 8 hour shift length is advised they will lose 14.69 Hours of Retention Leave. To ensure this entitlement is not forfeited, they must take 16 Hours (2 days) of Retention Leave prior to 30/06/2025.

- **Can I get my Retention Leave 'Cashed Out' to avoid losing it?**

No employees cannot have Retention Leave cashed out in 2025, to reduce an outstanding entitlement owing from 2020.

Employees can elect to convert Retention Leave to a monetary amount (cash out), with applications being available between July and August each financial year. However, the legislation advises employees can only elect to cash out the previous financial years' entitlement. E.g. application made in August 2024, relates to the Retention Leave accrued between 01/07/2023 and 30/06/2024.

You cannot elect to cash out the Retention Leave still owing from 30/06/2020, as this was not accrued in the last financial year.

If you apply to cash out Retention Leave when applications open between July and August 2025 you are requesting to have the Retention Leave you have accrued between 01/07/2024 and 30/06/2025 cashed out.