

2B Leave

2B.1 Leave Entitlements as from 1 January 2016

- (1) All employees appointed to a post on the permanent establishment of the Public Service shall be eligible for the following (where applicable):

Leave Type	WD	Comments on policy changes
Annual Leave	20	Policy to allow accumulation
Sick Leave (out patient)	15	For non hospitalisation. Sick Leave (out patient) may be utilized as sick leave (in patient) subject to the recommendation from the Director of Health and approval of the Chief Executive Officer of the Commission.
Sick Leave (in patient)	30	New Policy for hospitalisation only (not expected to be high usage)
Maternity Leave	3 months (calendar days)	Policy focuses on duration for health of working mother and child
Paternity Leave	5	Policy recognises role of both mother and father at birth of child
Leave Without Pay	20	This is different to 'study leave' which will continue to be reviewed.

- (2) Under special/exceptional/emergency circumstances, an employee may be allowed to carry forward a maximum of 10 annual leave days to the following year with the approval of the Commission.

- (3) Repealed/Delete **2B.1(3)**

2B.6 Salary may be paid in lieu of leave

- (1) No employee shall be entitled to receive salary instead of leave due, except when –
- an employee who is entitled to leave immediately preceding resignation or retirement may receive his salary for such period of leave in one lump sum in lieu of such leave;
 - an employee who is at Band I or above and has completed three (3) years of service at that level is considered by his Minister and approved by the Commission under special/exceptional circumstances, may receive a cash payment equivalent of his salary for up to 10 leave days, subject to the Ministry's budget.
 - an employee who is stationed at Niuatoputapu or Niuafo'ou, may receive a cash payment equivalent to his salary for up to 20 leave days subject to the approval of the Chief Executive Officer and the Commission.

- (2) The cash payment paid under paragraph (1) (b); shall not exceed 10% of the total amount in the appropriate program of that Ministry's Annual Estimates.
- (3) With exception to the employees at the Niuas, an employee shall not receive cash payment of leave days in two consecutive years.

2B.9 Leave Management

- (1) All Ministries/Departments/Agencies must submit a complete Annual Leave Plan to the PSC Office at the beginning of the calendar year.
- (2) The total number of leave days paid in cash and/or the number of days carried forward to the following calendar year must not exceed 10 leave days for an employee.
- (3) The Chief Executive Officer has the discretion to:
 - (a) Approve for an employee to take annual leave within the 12 months calendar year;
 - (b) Direct an employee to take annual leave within the 12 months calendar year;
 - (c) Employees who exit the service before completion of 12 months shall be deducted the pro rata annual leave entitlement for the months not yet worked.

2B.10 Leave Entitlement and Calculation

As of 4 January 2010, an employee shall be entitled to:

- a) Twenty (20) working days annual leave which is not accrued from year to year;
- b) Employees appointed during the year will receive a pro rata leave entitlement from the month they assumed duty until end of December, calculated as one annual leave for every 12 working days worked including all public and government holidays except for Non-Reckonable periods;
- c) Employees who exit the service before completion of 12 months shall be deducted the pro rata leave entitlement for the months not yet worked.

2B.23 Study Leave

2B.23.1 Study Leave with Pay

- (1) Only recipients of Government Scholarships and Scholarship awards who are confirmed to be in line with the Government priority areas as determined by the Government Scholarship Committee shall receive salary as follows:
 - (a) 1st year – fifty (50) percent of salary
 - (b) 2nd year – twenty five (25) percent of salary
 - (c) After second year of study no salary portion of salary shall be paid.
- (2) If the employee chooses to utilise his vacation leave in the first year of study, the benefits under paragraph (1) commence at the end of the leave taken.
- (3) If the employee resumes duty on full pay whilst on study leave for a period not exceeding two months, this period shall not be considered a breach in the duration of his study leave for the purposes of paragraph (1).
- (4) For serving employees studying while at post, time spent attending classes during working hours should be compensated by working after-hours as approved by the Chief Executive Officer.
- (5) Upon completion or non-completion (whichever the case may be), any employee, regardless of scholarship source and type, who goes on Study Leave With Pay is required to work in Government for a duration not exceeding two (2) years.