

**REGISTER OF  
ENTERPRISE AGREEMENTS**

**ENTERPRISE AGREEMENT NO:** EA11/8

**TITLE:** Ballina Shire Council Enterprise Agreement Long Service Leave 2011-2014

**I.R.C. NO:** IRC11/1256

**DATE APPROVED/COMMENCEMENT:** 29 July 2011 / 28 July 2011

**TERM:** 36

**NEW AGREEMENT OR  
VARIATION:** New.

**GAZETTAL REFERENCE:** 9 September 2011

**DATE TERMINATED:**

**NUMBER OF PAGES:** 6

**COVERAGE/DESCRIPTION OF**

**EMPLOYEES:** The agreement applies to all employees employed by Ballina Shire Council, located at Cnr. Cherry and Tamar Streets, Ballina, NSW 2478, who fall within the coverage of the Local Government State Award 2010.

**PARTIES:** Ballina Shire Council -&- the New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union

# Ballina Shire Council Enterprise Agreement 'Long Service Leave'



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## 1. TITLE

This Agreement is the '*Ballina Shire Council LSL Enterprise Agreement 2011-2014*' (Agreement).

## 2. DEFINITIONS

Except where otherwise defined:

**Agreement** means the '*Ballina Shire Council LSL Enterprise Agreement 2011-2014*'

**Award** means the *Local Government (State) Award 2010*, as amended from time to time

**Council** means Ballina Shire Council

**depa** means the development and environmental professionals' association

**General Manager** has as the meaning provided in the *Local Government Act 1993* (NSW)

**LGEA** means the Local Government Engineers' Association of New South Wales

**Manager** means Council employees as described at subclause 4.2(a)

**USU** means the New South Wales Local Government, Clerical Administrative, Energy, Airlines & Utilities Union

**Settlement period** means the financial year, commencing 1 July and ending 30 June of any year

## 3. PARTIES BOUND

The parties bound to this Agreement are Council and the USU, the LGEA; and depa.

## 4. SCOPE AND COVERAGE OF THE AGREEMENT

4.1 This Agreement is made pursuant to section 29 of the *Industrial Relations Act 1996* (NSW).

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4.2 On commencement of this Agreement:

- (a) The Agreement will cover all employees.
- (b) The Agreement does not displace the Award. The terms and conditions of this Agreement prevail to the extent of any inconsistencies between the Agreement and the Award.

4.3 This Agreement will operate from the date of approval by the New South Wales Industrial Relations Commission and will remain in force for a period of three (3) years.

## 5. AIMS OF AGREEMENT

The purpose and benefits of this Agreement are to:

- 5.1 Allow the taking of long service leave and higher payment from entitlements;
- 5.2 Allow the cashing out of long service leave.

## 6. LONG SERVICE LEAVE

### 6.1 Taking long service leave

An ongoing employee may elect to take long service leave in accordance with the completed years of eligible service:

Completed Years of Eligible Service	LS Leave Entitlement Minimum Allowed	Accrued LS Leave Entitlement (Award)	Payment Entitlement	Cash out component
More than 10 years but less than 15 years	9 weeks leave	13 weeks leave	at up to 13 weeks pay	Maximum 4 weeks
15 years or more but less than 20 years	13.5 weeks leave	19.5 weeks leave	at up to 19.5 weeks pay	Maximum 6 weeks
After 20 years of service	22.5 weeks leave	30.5 weeks leave	at up to 30.5 weeks pay	Maximum 8 weeks
For every completed period of 5 years' service thereafter	7 weeks leave (each subsequent period of 5 years)	11 weeks leave (each subsequent period of 5 years)	at up to 11 weeks pay (each subsequent period of 5 years)	Maximum additional 4 weeks (each subsequent period of 5 years)

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## **6.2 Request to cash out long service leave**


An employee may make a request to cash out their credited long service leave entitlement in accordance with the following conditions:

- (a) The employee must elect to cash out long service leave. Council must not apply undue influence or duress in the employee electing to cash out long service leave.
- (b) The request must be in writing and be signed by the employee. The request must stipulate state the amount of credited Long Service Leave entitlement to be cashed out;
- (c) The employee must have completed at least 10 years of eligible service prior to making the request to cash out long service leave;
- (d) The employee may only cash out their long service leave entitlements in accordance with the column 'Cash out component' provided in subclause 6.1;
- (e) The payment in lieu of the amount of paid long service leave must be at the rate that is no less than the rate that, at the time of the election is made, is the employee's ordinary rate of pay; and
- (f) Approval is at the discretion of the Group Manager.

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## 7. SIGNATORIES


Signed for and on behalf of Ballina Shire Council:

Signature:  Date: 27/6/11  
Paul Hickey  
General Manager

Witness: Sandra Bailey S. Bailey  
Position: Secretary  
Date: 27/6/11

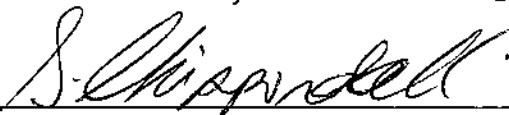
Signed for and on behalf of the New South Wales Local Government, Clerical Administrative, Energy, Airlines & Utilities Union:

Signature:  Date: 6<sup>th</sup> April 2011  
Secretary

Witness:   
Position: Industrial officer  
Date: 6<sup>th</sup> April 2011

Signed for and on behalf of the Local Government Engineers' Association of New South Wales:


Signature:  Date: 3 June 2011  
Secretary DIRECTOR

Witness: 

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Position: Organiser - LGEA.

Signed for and on behalf of the Development and Environmental Professionals' Association

Signature:  Date: 8 June 2011  
Secretary

Witness: M. O'Connell

Position: Duecy LGEA