

# Westpac Group: requirement to take annual leave

## YOUR RIGHTS

Has the Bank directed you to take annual leave?

no

yes

Good. Your manager may ask you if you could take some leave, and if they do, **it's up to you.**

Have you taken 10 days off in the last year **OR** do you have excessive accrued annual leave? Has the bank advised they will be shutting down part or all of the business over the Christmas period?

no

yes

While you may be directed to take leave, **it must be reasonable** and Westpac must give you 4 weeks' notice. It is your leave and **your personal circumstances matter.** If you don't want to book in the leave, call the union immediately to discuss your situation!

Do not let yourself be forced to take the leave if you don't want to. This direction may be a breach of your rights under the EA. **Contact the union immediately!**

**Call 1300 366 378 or email [fsuinfo@fsunion.org.au](mailto:fsuinfo@fsunion.org.au)**

# LEAVE DIRECTION

## FAQs

### Can the Bank direct me to take annual leave?

Strictly speaking the Bank does have the ability to direct you to take annual leave in certain circumstances. This ability is laid out in clause 22.2 of the Westpac Group Enterprise Agreement 2019:

#### **22.2 Requiring you to take a break**

*We are serious about you taking leave and sometimes we will require you to take annual leave - but we'd only do that if it's reasonable (eg, you have an excessive accrual of leave, we shut down part or all the business like we sometimes do at Christmas, or if you haven't taken 10 day's leave in a row that year). If we require you to take annual leave, we will give you a minimum of 4 weeks' notice that you need to take annual leave and if you don't have accrued annual leave to take you can choose to take either annual leave in advance of it accruing, unpaid leave or another form of leave you are eligible to take (eg, long service leave).*

### How much annual leave can the Bank direct an employee to take?

If you haven't taken 10 days leave in a row this year, you can be directed to take the 10 days, otherwise there is no set amount. This ability is laid out in clause 22.1 of the Westpac Group Enterprise Agreement 2019:

#### **22.1 Take a break**

*Time out is really important - we all work hard and have busy lives. For this reason, you should take the 4 weeks of annual leave you will get each year of service. If, for some reason you don't want to take all your leave in a particular year, at a minimum you must take at least 10 days' annual leave in a row during the year. You and your manager should schedule your leave having regard to your personal circumstances and preference.*

### Can an employee refuse a direction to take annual leave?

An employee cannot unreasonably refuse a reasonable direction to take leave, but your manager should schedule it having regard to your personal circumstances and preferences. If they do direct you to take leave, **they must provide 4 weeks' notice.**

### Can an employee cancel annual leave once it is booked?

Yes. However, the amount of notice given for the cancellation may be a factor. The best practice is to write to your manager, without delay, to ask for the leave to be cancelled along with your reasons why. If your manager says no, contact the union for further assistance.

**If you have any questions or concerns, ask for help! Your leave is an important entitlement.**