

# Revised clauses

Implemented administratively from 1 January 2014

## Clause 60

### Leave and make-up pay to incapacitated employees

- 60.1** An employee who suffers injury causing partial or total incapacity for work, who receives compensation in respect of such incapacity pursuant to the Workers' Compensation Act 1958 and/or the Accident Compensation Act, shall be granted leave and shall be paid make-up pay by the University in accordance with sub-clause 60.2 below.
- 60.2** Leave and make-up pay shall not exceed a continuous period of fifty-two (52) weeks or an aggregate period of fifty-two (52) weeks in respect of any one injury. The amount of make-up pay shall be the difference between the amount of weekly compensation received by the employee and the pre-injury average weekly earnings of the employee. An employee who receives workers' compensation leave will have any sick leave credits that were used during the period of the injury re-credited.
- 60.3** An employee who recovers damages in respect of the injury for which he/she has received make-up pay shall repay this make-up pay to the University provided that the damages so recovered include payment for loss of income.
- 60.4** An employee who has suffered injury causing total or partial incapacity for work will be entitled, upon returning to full duty at the University, to occupy an office equivalent to that occupied by the employee immediately prior to the occurrence of the injury.
- 60.5** An employee who suffers injury causing total incapacity for work and who is in receipt of compensation will cease to have entitlement to take or accrue further leave in respect of annual leave, sick leave and long service leave during the period of total incapacity.

An employee who suffers injury and who has partial work capacity and is either participating in a return to work program or has been declared able to do so by a medical practitioner will have entitlement to take or accrue annual leave, sick leave and long service leave at a rate commensurate with the fraction they are returning to working or have been declared fit to work by the medical practitioner.

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