



## AFTRS Leave for Subpoenaed Staff Policy

<b>Responsible Officer</b>	Director, Corporate Services
<b>Contact Officer</b>	Head of Human Resources
<b>Authorisation</b>	Chief Executive Officer
<b>Effective Date</b>	31 <sup>st</sup> May 2011
<b>Associated Documents</b>	AFTRS Enterprise Bargaining Agreement 2011

### 1. Policy Name

The AFTRS Leave for Subpoenaed Staff Policy.

### 2. Preamble – Background

On occasion staff are subpoenaed to attend judicial proceedings. There is a legal requirement to attend and failure to do so may be considered contempt of court with penalties up to the issuing of a warrant for arrest. If a member of staff is subpoenaed in relation to their AFTRS duties attendance at proceedings is considered work time. The current leave provisions only specifically address leave for attendance at Fair Work Australia proceedings that relate directly to an AFTRS matter. This policy addresses all other situations where staff are subpoenaed.

### 3. Policy Scope

This policy applies to all staff who accrue leave.

### 4. Policy Statement

On production of a subpoena staff will be granted paid Leave for Prescribed Purposes to count as service for all purposes under provision 11.15 of the AFTRS Enterprise Agreement 2011 for the period of attendance covered by the subpoena. Any money received by the staff member in compensation for potentially lost income must be paid to AFTRS.

### 5. Review

This policy will be reviewed with the approval of a new Enterprise Agreement or earlier should legislation or Commonwealth Government Policy be amended.