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**Introduction**

Habbibi aims to encourage all employees to maximise their attendance at work and, while the organisation understands that there may be some absence among employees, it must also pay due regard to its business needs; primarily the provision of food and beverage services to our customers.

We aim to strike a reasonable balance between business needs and the genuine needs of employees to be absent from work because of sickness or for family, domestic or other reasons (including time off allowed by law as set out below).

We remind employees that working while on special leave or during time off for a specific purpose, or applications for special leave or time off for a specific purpose which are made on a false basis, may constitute a breach of their employment contract and disciplinary action may be instigated.

This policy applies to all full and part-time employees. This policy does not apply to workers, agency workers and contractors.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

**Unauthorised leave and Absence without leave (AWOL)**

If an employee is absent and fails to report their absence, then their absence will be recorded as unauthorised and they will not receive payment (if eligible) for that shift. If the absence continues, and contact cannot be established with the employee or their next of kin within the time period of 3 missed shifts, the employee will be considered as absent without leave (AWOL).

Managers must inform HR upon the third missed shift where contact has not been established so that support can be given to appropriately manage. By this time the absence will be noted as AWOL.

AWOL cases of unauthorised absence will be dealt with under our Disciplinary Procedure.

**Bereavement leave**

In the unfortunate death of an immediate family relative, an employee has the right to take time off on the grounds of compassionate leave. A maximum of 5 days Compassionate leave can be taken per year and this will be unpaid. Any further compassionate leave will be at the discretion of the Operations Manager.

Immediate family is identified as follows; Mother, Father, Son, Daughter, Sister, Brother, Husband, Wife (this includes common law and civil partnerships).

If possible, prior to taking the time off, the Line Manager will conduct a meeting with the employee to discuss their needs and circumstances regarding their time off. If this is not possible, their Line Manager will meet with them upon their return to work to discuss any needs that they might have.

**Medical and Dental Appointments**

Where possible, employees are required to arrange any medical or dental appointments outside working hours.

When this is not possible, employees must obtain permission from their line manager before making arrangements, offering as much notice as possible so that cover can be appropriately arranged. In keeping with our commitment to our employee’s wellbeing we would encourage line managers to be flexible where possible, and to work with individuals to reasonably support the management of appointments and contractual hours or unpaid break.

**Public duties**

An employee who is engaged in any of the public duties shown below will be eligible to apply for a reasonable amount of time off to attend relevant meetings or to participate in other approved activities. Any requests for time off must be agreed with their Line Manager beforehand and, should they fail to provide adequate notice or their request is deemed unreasonable can be refused.

Public duties are defined as:

* Justices of the peace
* Members of a local authority
* Members of a Police authority
* Members of any statutory tribunal
* Members of the managing or governing body of an educational establishment
* Members of a health service or education body
* Members of a prison visiting committee
* Members of the Environment Agency

Any employee wishing to take time off in order to fulfil any of the above activities must give as much advance notice of their request as possible. Details must be provided of the duty being performed and the specific activity for which time off is considered necessary.

There is no right to unlimited time off. For the time off to be classed as ‘reasonable’, the following will be considered:

* Their duties and responsibilities within the organisation.
* Their duties and responsibilities they are to undertake.
* The impact their time off will have upon the business.
* How much time has already been taken for previous acts of public or trade union activities.

The employee may also need to show that they are contributing a reasonable amount of their own time towards meeting their public duty commitments - possibly including a proportionate amount of their annual leave entitlement. The Organisation is not obliged to pay the employee for any time off whilst they undertake public duties, however, the organisation at the discretion of the Operations Manager may make payment as a gesture of goodwill.

**Absences for Reservists/ Territorial Activities**

The organisation recognises that employees who are reservists have a duty to undergo training and may be mobilised at any time.

If and when they are required to attend training or mobilisation, they are required to notify their Line Manager as soon as practicable to give as much advanced notice possible. We would ask that any time off they require for reservist/ territorial activities are made in writing to their Line Manager. In all cases, the Line Manager will conduct a meeting with them to discuss their needs and circumstances regarding their time off.

**JURY SERVICE**

Where an employee is requested to attend court as a juror, time will be given to attend. However, where, in Habbibi’s view, the release of an employee for jury service raises major staffing or operational problems, assistance will be provided to the employee in order to appeal to the court to re-arrange or cancel the dates of service.

Employees must notify their line manager immediately when they receive a jury summons. Once jury service has started, employees have a responsibility to inform their line manager of their return date to work as soon as possible, should it be longer or shorter than the expected two weeks.

On confirmation of a period of jury service, the employee will receive a ‘Certificate of Loss of Earnings or Benefit’ from the Court Service. This form should be sent the HR department immediately, who will complete it and return it to the employee. The employee must then take the completed form with them on their first day of jury service. During attendance at the court, employees should claim from the court, any compensation for loss of earnings. Employees will not be paid for this time by the organisation.

**LEAVE FOR A DOMESTIC EMERGENCY**

Leave for a domestic emergency is designed to support employees where the emergencies are unrelated to children or dependants. Leave may be granted to an employee to deal with a domestic emergency. This leave is unpaid.

Examples of an emergency include (this list is not exhaustive):

* A road accident or other similar accident involving the employee
* The breakdown or theft of the employee’s car
* A burglary at the employee’s home or a violent crime involving the employee
* Fire or flooding at the employee’s home.

In determining whether request for leave should be granted the Employer will take the following factors into consideration:

* The nature and extent of the emergency
* The availability of others to deal with the emergency
* The likely impact of the emergency on the employee

This leave is intended to cover genuine emergencies. If an employee knows in advance that they are going to need time off for a domestic issue (for example in the case of delivery of goods to the employee’s home) they should ask for leave in the normal way.

**TIME OFF FOR DEPENDANTS**

Habbibi recognise that from time-to-time employees will need to be supported where emergencies arise that are related to children or dependants. The Organisation will support employees by allowing them to take reasonable unpaid time off work to deal with these emergencies involving a dependant.

Leave may be granted to an employee for the purpose of dealing with a situation involving a dependant such as for example:

* A child or dependant who is sick, injured or assaulted
* An adult for whom an employee cares where no other arrangements can reasonably be made for someone else to look after the person
* A serious incident involving a child at school
* A serious illness involving a dependant
* A child or dependant whose usual care arrangements are unexpectedly disrupted

This leave is intended to cover genuine emergencies. Time off for dependants will not be granted to deal with predictable domestic arrangements that could be accommodated using annual leave (for example regular childcare and childcare during the school holidays).

Employees must report their absence to their line manager as soon as is reasonably practicable. They also need to advise of the reason for their absence and how long they expect to be away from work.