

Policy PL21 - Aboriginal and Torres Strait Islander Cultural Leave

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Key Points

1. Purpose

This policy aims to support and foster a more inclusive workplace for Aboriginal and/or Torres Strait Islander staff and students by offering additional leave in acknowledgement of the cultural obligations specifically for Aboriginal and/or Torres Strait Islander people including but not limited to ceremonial duties and cultural events.

2. Scope

This policy applies to all employees at the Institute who identify as an Aboriginal and/or Torres Strait Islander person. A reference to employee in this policy should be read as meaning a reference to Institute employees and students.

3. Definitions

Term	Definition
Aboriginal and Torres Strait Islander	Definition of Aboriginal or Torres Strait Islander person According to s51 (25) of the High Court of Australia (1983): 'An Aboriginal or Torres Strait Islander person is a person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander (person) and is accepted as such by the community in which he or she lives.'
Ceremonies duties	Customs and obligations that stem from traditional lore of Aboriginal and Torres Strait Islander people. Such ceremonial duties involve but are not limited to activities such as: <ul style="list-style-type: none"> • Native Title meetings if an employee is a Traditional Owner or a representative of Traditional Owners • Sorry Business/Sad News, initiation, birthing and naming ceremonies and funerals
Cultural events	Events that are culturally significant to Aboriginal and Torres Strait Islander people. Often these are annual pre-scheduled events such as: <ul style="list-style-type: none"> • NAIDOC Week • Reconciliation Week • Mabo Day • Coming of the light

Term	Definition
Family	'Family' for Aboriginal and Torres Strait Islander often extends further than the nuclear or immediate family structure common in Western society. All families have a responsibility to the Elders in their immediate family and in the broader community. Elders are relied upon and respected for their cultural knowledge and guidance provided to the community. Aunties and Uncles can often play significant parenting roles within the family too.
Sorry Business	Aboriginal term that refers to the passing of a person.
Sad news	Torres Strait Islander term that refers to the passing of a person.

4. Policy

The Institute strives to create a culture of respect, increase awareness and understanding of Aboriginal and Torres Strait Islander history, culture and connection to this land, and to build strong community relationships. It is through this commitment that the Institute prioritises leave to enable Aboriginal and Torres Strait Islander people to fulfil their cultural obligations.

The Institute recognises as First Nations people, Aboriginal and Torres Strait Islander people hold a significant and unique place in Australian society and that there are differences between what is widely accepted in mainstream non-Indigenous Australian society regarding culture, kinship and family structures. The Institute also understands that any barriers to the participation of Aboriginal and Torres Strait Islander people at significant cultural events such as NAIDOC and National Reconciliation Week should be removed, and an acknowledgment made of the additional burden on these employees at this time.

In order to meet their cultural obligations as outlined below, an Aboriginal and/or Torres Strait Islander employee may access:

- Paid leave for **ceremonial duties** (uncapped); and
- Up to 3 paid days per annum, non-culminative for **cultural events**,

If the time required for cultural events exceed 3 days, access to the following provisions are available:

- Paid personal/carer's leave
- Paid annual leave
- Unpaid leave (if required)

Leave associated with cultural obligations may be taken as a fraction of a day, single day, or consecutive days. Employees wishing to access this leave should apply via [Workday](#) and also to communicate this to their manager or supervisors as soon as feasible. Evidence is not required but managers and supervisors can seek advice from their relevant business partner in People and Culture.

Cultural Obligations

Ceremonial duties

Customs and obligations that stem from traditional lore of Aboriginal and Torres Strait Islander people. Such ceremonial duties involve but are not limited to activities such as:

- Native Title meetings if an employee is a Traditional Owner or a representative of Traditional Owners
- Sorry Business/Sad news, initiation, birthing and naming ceremonies and funerals

Cultural events

Events that are culturally significant to Aboriginal and Torres Strait Islander people. Often these are annual pre-scheduled events such as:

- NAIDOC Week
- Reconciliation Week
- Mabo Day
- Coming of the Light

5. Supporting Information

5.1. References

Victorian Equal Opportunity and Human Rights Commission, *Cultural diversity in the workplace: A guide for employers working with Indigenous employees*, October 2012.

5.2. Related Policies

[Leave and Institute holidays policy](#)

5.3. Related Procedures

5.4. Other

Innovate RAP 2016-2018 (see appendix)

Review Cycle

Initial Review 2 Years

Ongoing Review 3 Years

Next Review 2021

Version History

Approved By	Approval Date	Effective Date	Approval Notes	Version
Director	21/12/2018	8/07/2019	New Policy	1

Appendix

Attached Files:

[Innovate RAP 2016-2018.pdf](#)