



Studies assistance

Background

1. Studies assistance consists of study leave and financial assistance in accordance with clauses 58.2-58.6 of the Enterprise Agreement and these Guidelines.
2. Training or courses provided under the professional development program at clause 58.1, or ad hoc learning and development opportunities at clauses 58.7 and 58.8 of the Enterprise Agreement do not qualify for studies assistance and are considered to be time on duty.

Definitions

3. **Course** means a program of study undertaken for a qualification under the Australian Qualifications Framework, e.g. Certificate III, Bachelor Degree, Graduate Diploma, Masters Degree.
4. **Component of a course** means a discrete subject or unit of a course.
5. **Semester or period of study** means the period over which a component of a course is undertaken, commencing on the first day of coursework (or the receipt of coursework or commencement of the component of the course, whichever is earlier) and ending on the last day of formal assessment of that component of the course (e.g. the final date for submission of assessment or of a take-home or online examination, or the date of a final examination).

Eligibility

6. Employees are not required to seek approval of studies assistance prior to the commencement of the relevant semester. However, employees should be aware of the potential financial risk of not obtaining prior approval, i.e. the employee will be liable for study costs where studies assistance is not supported by the employing Member and approved by the Department. Employees are not eligible for and cannot access study leave or financial assistance until their application for studies assistance is supported by the employing Member and approved by the Department.
7. An employee considering applying for studies assistance is encouraged to discuss their application with Ministerial and Parliamentary Services before the commencement of each component of the course. The final decision to approve or not approve studies

assistance rests with the Department. If the Department does not approve an application, the reason for this decision will be provided in writing to the employee.

8. Studies assistance includes financial assistance and/or study leave (absences from work for study purposes). Employees cannot access studies assistance while they are on any form of leave without pay. Where an employee is on any form of leave without pay during a period of study, any reimbursement of study costs will be pro rata, based on the proportion of the period of leave without pay, compared with the period of study.
9. An approval for studies assistance is only valid for the period of MOP(S) Act employment with the employing Member who supported the application. If an employee commences MOP(S) Act employment with a different employing Member during the period of study, a new approval will be required. The Department will give such approval for the balance of the period previously approved upon receipt of written support from the new employing Member. Requests for any new approval should be received by the Department within four weeks of the change of employment.

Applying for studies assistance

- Refer to Form 17 – Application for Studies Assistance and Study Leave
10. An application for studies assistance for a period of study (or concurrent period of study) must be signed by both the employee and employing Member (or authorised person).
 11. Applications for subsequent periods of study each require a new application.

Criteria for approval of studies assistance

12. The employing Member, in considering an application for studies assistance, may wish to discuss the application with Ministerial and Parliamentary Services prior to giving their agreement. When considering an application for studies assistance the Department may also consult with the employing Member. Both the employing Member and Department may take the following issues into consideration:
 - a. the employee's past/current performance;
 - b. whether the employee has studied previously and to what level;
 - c. whether the further education is directly related to the employee's duties and/or whether it will provide any additional benefit to the employing Member;
 - d. whether the proposed course is one which is more likely to be offered as part of the options provided for at clauses 58.1, 58.7 and 58.8 of the Enterprise Agreement and, therefore, does not qualify for studies assistance;
 - e. the career and professional development needs and goals of the employee;
 - f. the strategic and operational needs of the employing Member and the knowledge and skills required by the employee for current or likely future duties; and
 - g. any other relevant matter.

Financial assistance

13. The maximum reimbursement threshold is applied pro rata for part-time employees in accordance with the average number of hours worked per week during the periods of study in that financial year as specified in their employment agreement. The reimbursement of study costs for each period of study is also pro rata based on the average number of hours worked per week during the relevant period of study.

Example: an employee who works an average of 50 percent of full-time hours can receive a maximum reimbursement of \$5,000 per financial year. If the employee successfully completes a component of a course costing \$3,000 they will be reimbursed \$1,500 and will have \$3,500 of financial assistance available for the remainder of the financial year for other approved studies assistance.

14. The formula to calculate the pro rata maximum reimbursement threshold is as follows:
Average weekly work hours x \$10,000 / 38 hours
15. The formula to calculate a pro rata reimbursement per period of study is as follows:
Average weekly work hours x \$ amount of financial reimbursement claimed / 38 hours
16. Where an employee commences MOP(S) Act employment during the relevant semester, reimbursement and the maximum reimbursement threshold will be pro rata based on the number of weeks, or part weeks, of employment under the MOP(S) Act during the period of study.

Example: an employee who commences employment under the MOP(S) Act after 4 weeks of a 10 week semester with study costs of \$2,000, may be eligible to be reimbursed $6/10 \times \$2,000 = \$1,200$. The maximum reimbursement threshold will be $6/10 \times \$10,000 = \$6,000$. If the employee undertakes a further 10 week period of study later in that financial year, the threshold will increase proportionately to the length of that later period of study, to become $16/20 \times \$10,000 = \$8,000$.

17. The following are examples of the type of costs that are reimbursable by the Department subject to prior approval of financial assistance and satisfactory completion of the relevant component of the course:
- compulsory tuition and course fees;
 - Higher Education Loans Program (HELP); and
 - examination and assessment fees.
18. The following costs will not be reimbursed:
- sports and/or student union fees;
 - general/administrative fees;
 - fees for components of a course not successfully completed;

- d. travel and/or accommodation expenses (e.g. to get to the educational institution or when attending a residential);
- e. books, journals, newspapers, stationery and other materials;
- f. costs of producing material for the course being undertaken; and
- g. graduation ceremony and regalia hire costs.

Claiming reimbursement

- 19. Claims for reimbursement must be lodged with the Department. Reimbursement will only be made to the employee on satisfactory completion of the component of the course. All relevant receipts (or evidence of the study costs deferred to the Higher Education Loan Program (HELP)) and a certified copy of the results (e.g. transcript or letter from the educational institution, or a printout of web-based results certified as a true copy) for the component of the course must accompany the claim.
- 20. Reimbursement will not be made where an employee ceases MOP(S) Act employment (and is not re-employed under the MOP(S) Act) before the completion of the component of the course. Note that, as defined above, for studies assistance purposes, a period of study (or semester) during which a component of a course is completed ends on the last day of formal assessment for that component of the course.

Study leave (paid absences from work for approved study purposes)

- 21. Paid study leave is a form of other leave under clause 44 of the Enterprise Agreement. The Enterprise Agreement provides paid study leave of up to five hours per week. Approved study leave may be pooled and accessed over the period of study. Unused hours from one period of study cannot be carried over to another period of study.

Example: if a full-time employee is approved to undertake a component of a course over 13 weeks at five hours per week, the study leave pool available will be 65 hours, to be used at any time over the 13 weeks. Pooled study leave should be tracked and accessed as agreed between the employee and employing Member.

- 22. Study leave for part-time employees will not be granted for hours in excess of the actual hours worked, e.g. if a part-time employee works three hours per week, the maximum amount of study leave to be provided cannot exceed three hours per week.
- 23. Study leave will be provided no earlier than the first day of the period of study.
- 24. Study leave will end on the last day of the period of study, i.e. the last day of formal assessment of that component of the course.
- 25. Study leave will not be accumulated during periods of any official academic breaks in the period of study, e.g. mid-semester holidays.

26. Leave without pay for study purposes may be approved by the employing Member under clause 49 of the Enterprise Agreement. Note that financial assistance is not paid in respect of periods of leave without pay.