

Victoria Police EB 2019

Personal leave/Make-up pay in advance



What is it?

New clauses have been ratified in the Victoria Police Enterprise Agreement 2019 for operational employees. The clauses in Sections 120.1 and 121.1, set out provisions for the payment of accrued but untaken personal leave in advance and payment of accident make-up pay in advance to eligible employees.

How do you determine if you are eligible for these payments?

ESSSuper does not determine eligibility for these payments, you should direct these queries to your employer/union.

What if you are seeking information or advice on these provisions?

It is important to understand that ESSSuper Financial Advisers will not be in a position to assess your eligibility for this offer.

If you wish to proceed with access payment of the new provisions, you should complete the following steps.

- i. Speak with your employer/union to ensure you fully understand the offer.
- ii. As per section 121.2 of the Enterprise Bargaining Agreement, obtain a report from a Registered Medical Practitioner – either your medical practitioner or final advice from the Police Medical Officer certifying either that you are:
 - a) unfit for all duties in Victoria Police and are likely to continue to have no work capacity; or,
 - b) unfit to return to your current position and that the applicable medical limitations or restrictions are likely to continue indefinitely.
- iii. Meet with an ESSSuper Member Education Consultant to understand the impact on your ESSS Defined Benefit Fund by taking up this offer.
- iv. As per section 121.2 (b) you need to provide a receipt or an email from a certified financial advisor (to your employer) to demonstrate you have obtained financial advice in relation to the proposed application.
- v. Contact your Employer/Union to obtain the required Payment for Accident Make-Up/Personal Leave in Advance Form. Once completed return it to your Manager/Employer.

Is there any impact on your ESSS Defined Benefit Fund entitlements?

Not directly, Defined Benefit contributions are only payable for the period of active membership with ESSSuper. Although there is no retrospective impact on your account balance, there are potential future implications on your Defined Benefit accrual rate if taking up this option. If you are medically discharged you are no longer a member of the Defined Benefit fund. Things that you should consider include future growth on your Defined Benefit Account and salary increases via Enterprise Bargaining Agreements. There will also be considerations for members who are maxed out versus non-maxed out, and impacts to future additional contribution increases i.e. 6% for 2021/2022 to 12% in 2026/2027. You should consider meeting with a Member Education Consultant to discuss these potential implications.

Is there any other superannuation impact at all?

Yes. The provisions require the employer to make contributions of 13.5% of salary for the period set out below:

Payment of accrued but untaken personal leave in advance	Payment of accident make-up pay in advance
13.5% of salary for the period the employee would have been paid personal leave had they not applied to have this leave paid out.	13.5% of salary for the period up to an aggregate of 104 weeks incapacity.

As a member you can direct these contributions to an Accumulation fund of your choice (including the ESSSuper Accumulation Plan). These contributions will be made pre-tax and will count towards the concessional contribution cap.

The team of Member Education Consultants have specific expertise with the intricacies of your fund and can provide general advice about even the most complex questions you have about your super. General advice does not take your specific needs or circumstances into consideration, so you should look at your own financial position, objectives and requirements and seek financial advice before making any financial decisions.

Questions in relation to the Victoria Police Enterprise Agreement 2019 should be directed to your employer.

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