Gender Affirmation Leave Procedure

Section 1 - Preamble

(1) Charles Darwin University ('the University', 'CDU') values and respects diversity and aims to foster an inclusive culture where all employees and their diversity are respected and celebrated.

(2) The University is committed to supporting employees' right to express their gender identity in a safe and inclusive environment that is free from discrimination, bullying and harassment.

(3) CDU recognises that gender affirmation is a deeply personal experience and that each journey will differ from one person to the next.

Section 2 - Purpose

(4) The procedure outlines Gender Affirmation Leave clause 52 of the Charles Darwin University and Union Enterprise Agreement 2025 and sets out how staff apply for and access the leave.

(5) This procedure is to be read in conjunction with the CDU Gender Affirmation Guidelines.

Section 3 - Scope

(6) This procedure applies to CDU employees covered by the Enterprise Agreement, excluding those employed on a casual basis.

Section 4 - Procedure

(7) An employee who is affirming their gender is entitled up to thirty (30) days of paid leave annually for purposes associated with their affirmation.

(8) In addition to this paid leave, employees are also eligible to access unpaid leave of up to twelve (12) months in total.

(9) This leave may be used for the purpose of:

a. Attending medical appointments;
b. Recovery from medical procedures;
c. Undertaking any legal process related to affirming their gender; and
d. Any other activity related to the employee's affirmation.

(10) The University will consider all reasonable requests for changes to hours of work, flexible working arrangements, amendments to names and/or email addresses and other reasonable support to assist the employee and their colleagues during this time.

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Application

(11) Accessing this leave is a confidential agreement between the employee and the Director People and Culture which can be arranged via email directly to the Director's confidential inbox, telephone call, or by submitting the HR Gender Affirmation Leave form via OneEducation or in person.

(12) Employees may use the "My Leave" option on OneEducation if they prefer to submit the form through their manager.

(13) The Director People and Culture can ask for evidence relevant to the employee's individual circumstances such as:

a. A statutory declaration
b. A medical certificate from a treating practitioner
c. A letter from a legal practitioner
d. This evidence will only be sighted and no copies will be made or recorded.

(14) Each request to access this leave will be considered on a case-by-case basis. Every situation will be assessed without prejudice.

Section 5 - Non-Compliance

(15) Non-compliance with governance documents is considered a breach of the Code of Conduct - Employees or the Code of Conduct - Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2025 and the Code of Conduct - Students.

(16) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees and Complaints Policy - Students.

(17) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

Status and Details

Status	Current
Effective Date	24th October 2024
Review Date	24th October 2027
Approval Authority	Vice-Chancellor
Approval Date	24th October 2024
Expiry Date	Not Applicable
Responsible Executive	Penny Szybiak Vice-President Corporate
Implementation Officer	Peta Preo Director People and Culture
Enquiries Contact	Peta Preo Director People and Culture People and Culture

Glossary Terms and Definitions

"University" - Charles Darwin University, a body corporate established under section 4 of the Charles Darwin University Act 2003. The University is comprised of the various faculties, CDU TAFE, organisational units, and formal committees, including the governing University Council and Academic Board.

"Gender" - Gender is part of a person's personal and social identity. It refers to the way a person feels, presents and is recognised within the community. A person's gender may be reflected in outward social markers, including their name, outward appearance, mannerisms and dress.

"Gender affirmation" - Affirmation may involve social, medical and/or legal processes to affirm a person's gender identity.

"Governance document" - means policy or procedure published in the Governance Document Library. Policies and procedures are collectively called 'governance documents' and are often referred to as 'policy' or 'University policy'.