

## LEAVE ENTITLEMENTS



### ANNUAL LEAVE

In Australia, as an employee, are entitled to take time off work and still be paid for it. For each completed year of full time work with your employer, you are entitled to take **4 weeks** of paid annual leave. If you are a shift worker, you are entitled to take **5 weeks** of paid annual leave per year.

Your workplace will usually have a policy or process which sets out how you and your employer can agree on when you can take your annual leave. Your employer cannot refuse to let you take annual leave when you request it unless they have a proper reason. Depending on your specific work arrangements, you might also be allowed to "cash out" your annual leave. This means that you would be paid cash in exchange for the right to take that time off work. For example, if you wanted to cash out 2 weeks' worth of annual leave, you would be given 2 weeks' worth of ordinary pay and you would not be allowed to take that time off work. When your employment ends, if you have any untaken annual leave, your employer must pay you the value of that annual leave.

### PERSONAL/CARER'S LEAVE

This type of leave is more commonly known as sick leave. In Australia, you are entitled to take time off work if you are sick or if you have carer's responsibilities (eg where one of your family members is sick and you need to stay home to look after them). For each completed year of full time work with your employer, you are entitled to take **10 days** of paid personal/carer's leave.

Your workplace will usually have a policy which covers whether you need to provide evidence (eg a medical certificate) when you take sick leave. When your employment ends, if you have any untaken personal/carer's leave, you will **not** be entitled to be paid the value of that leave entitlement – it will simply expire.



## PARENTAL LEAVE

In Australia, if you have completed at least 12 months of continuous work for your employer, you are entitled to take unpaid parental leave of up to 12 months. This applies to full-time AND part-time workers (see below for casual workers). You may take parental leave if you are a new parent – whether you are giving birth yourself, or your partner is giving birth to your child, or if you are adopting a child under 16 years old. You are entitled to return to work immediately once you finish taking unpaid parental leave, either to the job you had before you went on leave, or, if that is not available anymore, to a similar suitable position. The Australian Government also has a Paid Parental Leave Scheme – please refer to the Australian Department of Human Services for more information.

### PART-TIME EMPLOYEES

The leave entitlements above are for full time work (usually 38 hours work per week). If you work part-time, your leave entitlements will be reduced according to how many hours you work. So, if you work part-time – say, 19 hours per week (which is half of 38 hours), you would be entitled to half the amount of leave, which is 2 weeks of annual leave and 5 days of personal/carer's leave per year.

### CASUAL EMPLOYEES

If you are a casual employee, you are not entitled to any paid annual leave, paid personal/carer's leave or paid parental leave. However, you will be entitled to take up to 12 months of unpaid parental leave if you have worked with your employer on a regular basis for at least 12 months.



***The information provided in this factsheet is for information only. It must not be relied on as legal advice. You should seek legal advice about your own situation.***