



Personal, Carer's & Compassionate Leave

Under "Workchoices" basic rights were slashed to a handful of minimum conditions.

The Fair Work Act has introduced new leave entitlements.

Overview

The NES establishes your minimum entitlements regarding:

- Paid personal/carer's leave
- Unpaid carer's leave
- Paid or unpaid compassionate leave.

These forms of leave are designed to help you deal with personal illness, caring responsibilities family emergencies, death or serious illness of close family members. Casual employees are eligible for unpaid carer's leave and unpaid compassionate leave.

PERSONAL/CARER'S LEAVE

What are my minimum entitlements?

The term 'personal/carer's leave' also covers both sick leave and carer's leave. Your minimum entitlement to paid personal/carer's leave is 10 days per year (unless you are a casual employee).

Your entitlement to be paid personal/carer's leave builds up gradually over the working year according to a number of ordinary hours worked.

When you take personal/carer's leave, your employer is only required to pay your minimum base rate for ordinary hours you would have worked during that period, less any loading, penalties, allowances, etc.

When can I take paid personal/carer's leave?

You may take this leave when:

- You are unfit for work because of your own personal illness or injury or
- You are required to provide care or support to a member of your immediate family or household, because of a personal illness, injury or unexpected emergency.

Your immediate family means either yours or your spouse's (including de facto's): partner, child, parent, grandparent, grandchild or sibling.

Note that if the period which you take paid personal/ carer's leave includes a day or part-day that is a public holiday, you will not be paid personal/carer's leave on that public holiday.





Fair Work fact sheet #9.2



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UNPAID CARER'S LEAVE

What are my minimum entitlements?

You (including casual employees) are entitled to two days of unpaid carer's leave for each occasion when a member of your immediate family or household requires care or support because of a personal illness, inquiry or unexpected emergency.

You may take unpaid carer's leave for each occasion as a single continuous period of up to two days, or any separate periods to which you and your employer agree.

COMPASSIONATE LEAVE

What are my minimum entitlements?

You (including casual employees) are entitled to two paid days of compassionate leave to spend time with a member of your immediate family or household who has sustained a life-threatening illness or injury. Compassionate leave may also be taken after the death of a member of your immediate family or household.

You may take compassionate leave for each occasion as a single continuous two day period, two separate periods of one day each or any separate periods to which you and your employer agree.

During a time of compassionate leave, (unless you are a casual employee) you are entitled to be paid your base rate of pay for ordinary hours you would have worked (less any extra allowances, etc).

Notice of leave must be given to your employer as soon as practicable.

You must also inform them of the period (or expected period) of leave. You may be required to provide evidence for the leave requested.

Contact us

For more information on any of these topics, please see the other United Voice fact sheets. If you are unsure or require further advice, please contact your union delegate or call United Voice Member Assist on 3291 4600 or 1800 065 885 outside of the Brisbane area. Alternatively you can now lodge a request for information or assistance at www.memberassist.org.au

