

## Personal leave 101

### When can paid personal leave be taken?

Paid personal leave (also known as sick and carers leave) lets an employee take time off:

- when they are ill or injured
- to care for an immediate family or household member who is sick or injured
- to help during a family emergency.

While an employee can take paid personal leave for any of those reasons, it all comes out of the same personal leave balance.

### How much personal leave does an employee get?

A full-time employee gets a minimum of 10 days of personal leave a year. A part-timer's personal leave accrues based on the percentage of full-time hours they work. You can also have an agreement where your employees get more personal leave than these minimums.

Our [leave calculator \(https://calculate.fairwork.gov.au/Leave\)](https://calculate.fairwork.gov.au/Leave) can help you keep track of your employee's leave or for more information [watch our video \(https://www.youtube.com/watch?v=rQarAV2LZRc\)](https://www.youtube.com/watch?v=rQarAV2LZRc)  on how personal leave works.

### How long do employees need to work before they can take personal leave?

An employee's personal leave starts accruing as soon as they start working. There's no qualifying period they must meet before they can take personal leave. Once they've accrued leave, they can take it.

### How much notice do they have to give me to take personal leave?

An employee has to let you know that they are going to take personal leave as soon as possible, but this can be after the leave has started.

### What happens if they run out of personal leave?

When an employee has run out of paid sick leave, they can take unpaid leave if they aren't fit for work because they are sick or injured.

They may also ask to take paid annual leave. Any request to take annual leave has to be approved by their employer, but remember you can't unreasonably refuse a request. For help with long absences, check out our [long periods of sick leave page \(http://www.fairwork.gov.au/leave/sick-and-carers-leave/long-periods-of-sick-leave\)](http://www.fairwork.gov.au/leave/sick-and-carers-leave/long-periods-of-sick-leave).

### Do I need to ask for a medical certificate to pay for sick leave?

Employers can ask employees to give evidence to confirm why they have been away from work at any time, even if an employee has only been away for one day. But you're not necessarily required to ask for evidence. If or when you need evidence can be based on your workplace policy or registered agreement.

Medical certificates or statutory declarations are examples of acceptable forms of evidence. While there are no strict rules on what type of evidence needs to be given, the evidence has to convince a reasonable person that the employee was genuinely entitled to the sick or carer's leave.

Depending on what your policy or agreement says, an employee who doesn't give you evidence when asked may not be entitled to be paid for their leave.

The Fair Work Ombudsman is committed to providing advice that you can rely on.

The information contained on this website is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or workplace relations professional.

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