Compassionate & bereavement leave

All employees (including casual employees) are entitled to compassionate leave (also known as bereavement leave).

Compassionate leave can be taken when a member of an employee's immediate family or household:

- dies or
- contracts or develops a life-threatening illness or injury.

Immediate family is an employee's:

- spouse or former spouse
- de facto partner or former de facto partner
- child
- parent
- grandparent
- grandchild
- sibling, or a
- child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner (or former spouse or de facto partner).

This definition includes step-relations (eg. step-parents and step-children) as well as adoptive relations.

Employees will be able to take compassionate leave for other relatives (eg. cousins, aunts and uncles) if they are a member of the employee's household, or if the employer agrees to this.

**Amount of compassionate leave**

All employees are entitled to 2 days compassionate leave each time an immediate family or household member dies or suffers a life threatening illness or injury.

The compassionate leave can be taken as:

- a single continuous 2 day period, or
- 2 separate periods of 1 day each, or
- any separate periods the employee and the employer agree.

An employee does not accumulate compassionate leave and it doesn't come out of their sick and carer's leave (or annual leave) balance. It can be taken any time an employee needs it.

If an employee is already on another type of leave (eg. annual leave) and needs to take compassionate leave, the employee can use compassionate leave instead of the other leave.

**Payment for compassionate leave**

Full-time and part-time employees receive paid compassionate leave and casual employees receive unpaid compassionate leave.

Full-time and part-time employees are paid at their base pay rate for the ordinary hours they would have worked during the leave.

This doesn't include separate entitlements such as incentive-based payments and bonuses, loadings, monetary allowances, overtime or penalty rates.

Compassionate leave can't be cashed out.

**Notice and evidence**

An employee taking compassionate leave must give their employer notice as soon as they can (this may be after the leave has started). The employee must tell the employer of the period, or expected period, of the leave.

An employer can request evidence about the reason for compassionate leave (eg. a death or funeral notice or statutory declaration). This request for evidence has to be reasonable. If the employee doesn't provide the requested notice or evidence they may not get
compassionate leave.


**Think a mistake might have been made?**

Mistakes can happen. The best way to fix them usually starts with talking.


- figuring out if a mistake has been made
- talking to your employer or employee about fixing it
- getting help from us if you can’t resolve it.

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