

## Cashing out annual leave

Cashing out annual leave means an employee receives payment instead of taking time off work.

Annual leave can only be cashed out when an award or registered agreement ([www.fairwork.gov.au/Dictionary.aspx?TermID=2034](http://www.fairwork.gov.au/Dictionary.aspx?TermID=2034)) allows it.

Find out about cashing out annual leave in your award by selecting from the list below.

### Cashing out annual leave under a registered agreement

If you're covered by a registered agreement, check it for information on whether leave can be cashed out. To find a registered agreement, go to the Fair Work Commission website [☞](https://www.fwc.gov.au/awards-and-agreements/agreements/find-agreement) (<https://www.fwc.gov.au/awards-and-agreements/agreements/find-agreement>)

Certain rules apply when cashing out annual leave:

- an employee needs to have at least 4 weeks annual leave leftover
- a written agreement needs to be made each time annual leave is cashed out
- an employer can't force or pressure an employee to cash out annual leave
- the payment for cashed out annual leave has to be the same as what the employee would have been paid if they took the leave.

Source reference: Fair Work Act 2009 s.92, 93 and 94 [☞](http://www.comlaw.gov.au/Series/C2009A00028) (<http://www.comlaw.gov.au/Series/C2009A00028>)

### Think a mistake might have been made?

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

Check out our Help resolving workplace issues ([www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default](http://www.fairwork.gov.au/how-we-will-help/how-we-help-you/help-resolving-workplace-issues/default)) section for practical advice on:

- 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.

### What to do next

- Calculate annual leave balances using the Leave Calculator (<http://calculate.fairwork.gov.au/Leave>)
- Search the Fair Work Commission website (<https://www.fwc.gov.au/awards-and-agreements/agreements>) [☞](#) for an agreement
- Find an award using List of Awards ([www.fairwork.gov.au/awards-and-agreements/awards/list-of-awards/list-of-awards](http://www.fairwork.gov.au/awards-and-agreements/awards/list-of-awards/list-of-awards))

### Help for small business

- Find tools, resources and information you might need on our Small business page ([www.fairwork.gov.au/Find-help-for/Small-business/default](http://www.fairwork.gov.au/Find-help-for/Small-business/default)) .

### You might also be interested in:

- Payment for annual leave ([www.fairwork.gov.au/Leave/Annual-leave/payment-for-annual-leave](http://www.fairwork.gov.au/Leave/Annual-leave/payment-for-annual-leave))
- Protections at work ([www.fairwork.gov.au/Employee-entitlements/Protections-at-work/default](http://www.fairwork.gov.au/Employee-entitlements/Protections-at-work/default))
- Direction to take excess annual leave ([www.fairwork.gov.au/Leave/Annual-leave/Directing-an-employee-to-take-annual-leave/direction-to-take-excess-annual-leave](http://www.fairwork.gov.au/Leave/Annual-leave/Directing-an-employee-to-take-annual-leave/direction-to-take-excess-annual-leave))

## Contact us

Fair Work Online: [www.fairwork.gov.au](http://www.fairwork.gov.au)

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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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. Visitors are warned that this site may inadvertently contain names or pictures of Aboriginal and Torres Strait Islander people who have recently died.