

## Annual leave

Annual leave (also known as holiday pay) allows an employee to be paid while having time off from work.

The entitlement to annual leave comes from the [National Employment Standards \(www.fairwork.gov.au/employee-entitlements/national-employment-standards/default\)](http://www.fairwork.gov.au/employee-entitlements/national-employment-standards/default) .

Awards, enterprise agreements and other [registered agreements \(www.fairwork.gov.au/Dictionary.aspx?TermID=2034\)](http://www.fairwork.gov.au/Dictionary.aspx?TermID=2034) can't offer less than the National Employment Standards but they can give more annual leave.

### Who is entitled to annual leave?

All employees (except for casual employees) get paid annual leave.

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

Full-time and part-time employees get 4 weeks of annual leave, based on their ordinary hours of work.

#### Example: annual leave for part-time employees

Jane is a part-time employee who works 20 hours per week for a year.

During one year, she will accumulate 80 hours of annual leave (the equivalent of 4 weeks work for her).

### Shiftworkers

Shiftworkers may get up to 5 weeks of annual leave per year.

Find information about annual leave for shiftworkers in your award by selecting from the list below.

Based on what you've told us, it looks like you're covered by the Social, Community, Home Care and Disability Services Industry Award [MA000100].

To get 5 weeks of annual leave a shiftworker has to work for more than 4 ordinary hours on 10 or more weekends in a year.

To find out more about who this award applies to, go to the [Social and Community Services Award summary \(www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000100-summary\)](http://www.fairwork.gov.au/awards-and-agreements/awards/award-summary/ma000100-summary) .

Source reference: [Social, Community, Home Care and Disability Services Industry Award \[MA000100\] clause 31.2](http://award-viewer.fwo.gov.au/award/show/MA000100)  (<http://award-viewer.fwo.gov.au/award/show/MA000100>)

### How does annual leave accumulate?

Annual leave accumulates from the first day of employment, even if an employee is in a probation period.

The leave accumulates gradually during the year and any unused annual leave will roll over from year to year.

Annual leave accumulates when an employee is on:

- paid leave such as paid annual leave and paid sick and carer's leave
- community service leave including jury duty
- long service leave.

Annual leave does not accumulate when the employee is on:

- unpaid annual leave
- unpaid sick/carer's leave
- unpaid parental leave
- unpaid family and domestic violence leave.

The Australian Government's Paid Parental Leave Scheme is not considered to be paid leave. An employee does not accumulate

annual leave while being paid by the Paid Parental Leave Scheme, if the person is taking unpaid leave from their employer at this time.

Leave does not accumulate for a period of annual leave that has been cashed out.

Source reference: [Fair Work Act 2009 s.87](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 [Fixing a workplace problem](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/default) (www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/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) (http://calculate.fairwork.gov.au/Leave)
- Learn about the [Record-keeping](http://www.fairwork.gov.au/Pay/pay-slips-and-record-keeping/record-keeping) (www.fairwork.gov.au/Pay/pay-slips-and-record-keeping/record-keeping) requirements for annual leave

## Help for small business

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

## You might also be interested in

- [Annual leave fact sheet](http://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/minimum-workplace-entitlements/annual-leave) (www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/minimum-workplace-entitlements/annual-leave)
- [Taking annual leave](http://www.fairwork.gov.au/leave/annual-leave/taking-annual-leave) (www.fairwork.gov.au/leave/annual-leave/taking-annual-leave)
- [Payment for annual leave](http://www.fairwork.gov.au/Leave/Annual-leave/payment-for-annual-leave) (www.fairwork.gov.au/Leave/Annual-leave/payment-for-annual-leave)
- [Cashing out annual leave](http://www.fairwork.gov.au/leave/annual-leave/cashing-out-annual-leave) (www.fairwork.gov.au/leave/annual-leave/cashing-out-annual-leave)

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## 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

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.