

Other leave entitlements during parental leave

Accumulating leave during parental leave

An employee doesn't accumulate any type of paid leave while they're on unpaid parental leave. This includes paid leave such as annual leave or sick leave.

Paid leave also doesn't accumulate when an employee is getting the Australian Government Paid Parental Leave Scheme payments, if the person is taking unpaid leave from their employer at this time.

Paid leave may accumulate when an employee is on employer-funded paid parental leave.

Taking other leave during parental leave

During unpaid parental leave employees can take:

- accumulated annual leave
- long service leave if the law in the state or territory allows it.

If there's a public holiday during the annual leave, it won't be paid.

Employees on paid or unpaid parental leave (including employees taking annual leave during unpaid parental leave) can't take:

- sick leave or carer's leave
- compassionate leave.

Example: Taking annual leave during unpaid parental leave

Maggie is about to take 12 months unpaid parental leave. She wants to take some annual leave during her parental leave so she has income in the later months of her unpaid leave.

She agrees with her employer to take 4 weeks annual leave in her ninth month of unpaid parental leave. These 4 weeks don't extend Maggie's unpaid parental leave period. Instead, they will run at the same time.

There's a public holiday during Maggie's annual leave. She won't be on annual leave for the public holiday and won't get paid for it. She agrees with her employer to extend her period of annual leave by 1 day, so she still gets paid for 4 weeks of leave.

Need help resolving workplace issues about pregnancy, parental leave and returning to work?

For employees:

If you've lost your job, contact the Fair Work Commission (the Commission) first if you think you were sacked because of:

- discrimination
- a reason that is harsh, unjust or unreasonable
- another protected right.

You have 21 days from the day you were sacked to lodge an application with the Commission. Check the information at the Commission website to find out if you can apply for:

- [unfair dismissal](https://www.fwc.gov.au/termination-of-employment/unfair-dismissal) [☞] (<https://www.fwc.gov.au/termination-of-employment/unfair-dismissal>) (not available if you lost your job because of a genuine [Redundancy](http://www.fairwork.gov.au/Ending-employment/Redundancy/default) (www.fairwork.gov.au/Ending-employment/Redundancy/default))
- [a general protections dismissal](https://www.fwc.gov.au/termination-employment/general-protections-dismissal) [☞] (<https://www.fwc.gov.au/termination-employment/general-protections-dismissal>)
- [unlawful termination](https://www.fwc.gov.au/termination-employment/unlawful-termination) [☞] (<https://www.fwc.gov.au/termination-employment/unlawful-termination>)

For employees and employers:

- Find information, downloadable guides and toolkits on pregnancy, parental leave and parents in the workplace on the [Supporting working parents](http://www.supportingworkingparents.gov.au/) (<http://www.supportingworkingparents.gov.au/>) [☞] website.
- Learn about [discrimination](http://www.fairwork.gov.au/Employee-entitlements/Protections-at-work/protections-from-discrimination-at-work) (www.fairwork.gov.au/Employee-entitlements/Protections-at-work/protections-from-discrimination-at-work) and [bullying and harassment](http://www.fairwork.gov.au/Employee-entitlements/bullying-and-harassment) (www.fairwork.gov.au/Employee-entitlements/bullying-and-harassment) and what can be

done to stop it.

- If you think a mistake has been made about pay, parental leave or returning to work, see 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 still can't resolve it.

What to do next

- Download the [Parental leave \(www.fairwork.gov.au/how-we-will-help/templates-and-guides/best-practice-guides/parental-leave\)](http://www.fairwork.gov.au/how-we-will-help/templates-and-guides/best-practice-guides/parental-leave) best practice guide for information on leave that can be accumulated or taken
- Use the [Parental leave – employer checklist \(DOCX 46.2KB\) \(www.fairwork.gov.au/ArticleDocuments/715/parental-leave-employer-checklist.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/715/parental-leave-employer-checklist.docx.aspx) when discussing leave entitlements
- Use the [Parental leave – employee checklist \(DOCX 43.4KB\) \(www.fairwork.gov.au/ArticleDocuments/715/parental-leave-employee-checklist.docx.aspx\)](http://www.fairwork.gov.au/ArticleDocuments/715/parental-leave-employee-checklist.docx.aspx) when discussing leave entitlements

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

- [Paid parental leave \(www.fairwork.gov.au/Leave/maternity-and-parental-leave/paid-parental-leave\)](http://www.fairwork.gov.au/Leave/maternity-and-parental-leave/paid-parental-leave)
- [Long service leave \(www.fairwork.gov.au/leave/long-service-leave/default\)](http://www.fairwork.gov.au/leave/long-service-leave/default)
- [Annual leave \(www.fairwork.gov.au/leave/annual-leave/default\)](http://www.fairwork.gov.au/leave/annual-leave/default)
- [Sick and carer's leave \(www.fairwork.gov.au/leave/sick-and-carers-leave/default\)](http://www.fairwork.gov.au/leave/sick-and-carers-leave/default)
- Ending employment while an employee is on leave in [Notice and final pay \(www.fairwork.gov.au/Ending-employment/notice-and-final-pay/default\)](http://www.fairwork.gov.au/Ending-employment/notice-and-final-pay/default)
- [Leave and Redundancy \(www.fairwork.gov.au/ending-employment/redundancy/default\)](http://www.fairwork.gov.au/ending-employment/redundancy/default)
- [Leave entitlements When businesses change owners \(www.fairwork.gov.au/Employee-entitlements/When-businesses-change-owners/default\)](http://www.fairwork.gov.au/Employee-entitlements/When-businesses-change-owners/default)

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Contact us

Fair Work Online: 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.