

Cashing out sick & carer's leave

Cashing out sick and carer's leave means employees get payment instead of taking the time off work.

Who can cash out sick and carer's leave

Most awards don't allow sick and carer's leave to be cashed out.

Employees covered by a [registered agreement \(www.fairwork.gov.au/Dictionary.aspx?TermID=2034\)](http://www.fairwork.gov.au/Dictionary.aspx?TermID=2034) can cash out sick leave if the agreement allows it.

Only 2 awards allow employees to cash out sick and carer's leave. These are:

- [Timber Award](http://awardviewer.fwo.gov.au/award/show/MA000071) [↗](#) (<http://awardviewer.fwo.gov.au/award/show/MA000071>)
- [Stevedoring Award](http://awardviewer.fwo.gov.au/award/show/MA000053) [↗](#) (<http://awardviewer.fwo.gov.au/award/show/MA000053>) .

The awards contain rules about when this can happen. To work out if 1 of these awards applies, check the coverage and job classification clauses.

What conditions apply if cashing out is allowed

Sick and carer's leave if allowed by an award or registered agreement, can only be cashed out if all the following conditions are met:

- a separate agreement is made in writing each time leave is cashed out
- the employee has a balance of at least 15 days of untaken paid sick and carer's leave after cashing out
- the employee is paid at least the full amount they would have been paid if they actually took the leave.

An employee can't cash out their built-up sick and carer's leave if these conditions aren't met.

- Source reference:
 - [Fair Work Act 2009 s.100 and 101](http://www.comlaw.gov.au/Series/C2009A00028) [↗](#) (<http://www.comlaw.gov.au/Series/C2009A00028>)
 - [Stevedoring Industry Award 2010 \[MA000053\] clause 23.3](http://awardviewer.fwo.gov.au/award/show/MA000053) [↗](#) (<http://awardviewer.fwo.gov.au/award/show/MA000053>)
 - [Timber Industry Award 2010 \[MA000071\] clause 34.4](http://awardviewer.fwo.gov.au/award/show/MA000071) [↗](#) (<http://awardviewer.fwo.gov.au/award/show/MA000071>)

What to do next

- Use our [Leave Calculator \(http://calculate.fairwork.gov.au/Leave\)](http://calculate.fairwork.gov.au/Leave) to calculate sick leave balances
- Search the [Fair Work Commission website](https://www.fwc.gov.au/awards-and-agreements/agreements) [↗](#) (<https://www.fwc.gov.au/awards-and-agreements/agreements>) for a registered agreement

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 sick and carer's leave \(www.fairwork.gov.au/leave/sick-and-carers-leave/paid-sick-and-carers-leave/payment-for-sick-and-carers-leave\)](http://www.fairwork.gov.au/leave/sick-and-carers-leave/paid-sick-and-carers-leave/payment-for-sick-and-carers-leave)
- [Minimum wages \(www.fairwork.gov.au/pay/minimum-wages/default\)](http://www.fairwork.gov.au/pay/minimum-wages/default)

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

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