

## Payment for sick & carer's leave

Sick and carer's leave is paid at an employee's base pay rate for each hour or part of an hour of leave they take.

An employee who takes paid sick or carer's leave is paid for the hours they would normally work during the period they took leave (not including overtime hours).

A base pay rate doesn't include separate entitlements such as:

- incentive-based payments
- bonuses
- loadings
- allowances
- overtime
- penalty rates.

### Example: Paid sick and carer's leave on ordinary hours

Steve works 9am-5pm Monday to Friday every week. For the last 6 months he has been working overtime on Wednesday nights until 7pm. Steve is sick and takes a day of sick leave on a Wednesday. Steve is entitled to be paid sick leave for his normal hours of 9am-5pm, not the overtime hours.

Read our [Paid annual leave & sick & carer's leave - FAQs](http://www.fairwork.gov.au/library/k600635_paid-annual-leave-sick-carer-s-leave-frequently-asked-questions) ([www.fairwork.gov.au/library/k600635\\_paid-annual-leave-sick-carer-s-leave-frequently-asked-questions](http://www.fairwork.gov.au/library/k600635_paid-annual-leave-sick-carer-s-leave-frequently-asked-questions)) library article for more information about accruing, taking and payment for sick and carer's leave.

To calculate sick and carer's leave entitlements, use our [Leave Calculator](https://calculate.fairwork.gov.au/Leave) (<https://calculate.fairwork.gov.au/Leave>).

Employees may have to give notice or evidence to get paid for sick and carer's leave. Go to the [Notice and medical certificates page](http://www.fairwork.gov.au/leave/sick-and-carers-leave/paid-sick-and-carers-leave/notice-and-medical-certificates) ([www.fairwork.gov.au/leave/sick-and-carers-leave/paid-sick-and-carers-leave/notice-and-medical-certificates](http://www.fairwork.gov.au/leave/sick-and-carers-leave/paid-sick-and-carers-leave/notice-and-medical-certificates)) for more information.

Source reference: [Fair Work Act 2009 s.99](http://www.comlaw.gov.au/Series/C2009A00028) <sup>¶</sup> (<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](http://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

- Use our [Leave Calculator](https://calculate.fairwork.gov.au/Leave) (<https://calculate.fairwork.gov.au/Leave>) to calculate sick/carer's leave entitlements
- Use our [Pay Calculator](http://calculate.fairwork.gov.au/FindYourAward) (<http://calculate.fairwork.gov.au/FindYourAward>) to find pay rates

### 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](http://www.fairwork.gov.au/Find-help-for/Small-business/default)).

### You might also be interested in

- [Unpaid carer's leave](http://www.fairwork.gov.au/leave/sick-and-carers-leave/unpaid-carers-leave) ([www.fairwork.gov.au/leave/sick-and-carers-leave/unpaid-carers-leave](http://www.fairwork.gov.au/leave/sick-and-carers-leave/unpaid-carers-leave))

- [Long periods of sick leave \(www.fairwork.gov.au/leave/sick-and-carers-leave/long-periods-of-sick-leave\)](http://www.fairwork.gov.au/leave/sick-and-carers-leave/long-periods-of-sick-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

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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.