

Paid sick & carer's leave

An employee can take paid sick leave when they can't work because of a personal illness or injury. This can include stress and pregnancy related illnesses.

An employee can take paid carer's leave to care for or support a member of their immediate family or household who is sick, injured or has an unexpected emergency.

Who gets paid sick and carer's leave?

All employees except casuals are entitled to paid sick and carer's leave. This entitlement comes from the [National Employment Standards \(www.fairwork.gov.au/employee-entitlements/national-employment-standards\)](http://www.fairwork.gov.au/employee-entitlements/national-employment-standards) .

Employees may have to give notice or evidence to get paid for sick and carer's leave. Go to the [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) page for more information.

How much paid sick and carer's leave does an employee get?

Sick and carer's leave comes under the same leave entitlement. It's also known as personal / carer's leave.

The yearly entitlement is based on an employee's ordinary hours of work and is 10 days for full-time employees, and pro-rata for part-time employees. This can be calculated as 1/26 of an employee's ordinary hours of work in a year.

Example: Sick and carer's leave entitlements for part-time employees

Suzanne is a full-time employee who works 38 hours, 5 days a week. Rebecca is a part-time employee who works an average of 19 hours per week, working a 5-day fortnight. Suzanne gets 76 hours of paid sick and carer's leave per year. Rebecca gets half of Suzanne's paid sick and carer's leave (38 hours) per year as she works half the hours Suzanne works.

The amount of paid sick and carer's leave accumulated over a period isn't affected by differences in the spread of an employee's ordinary hours of work in a week.

Example: Different spread of hours

If Suzanne works 38 ordinary hours a week over five days (Monday to Friday) and Jango works 38 ordinary hours over four days per week, they both accumulate the same amount of sick and carer's leave. Over a year of employment, both employees accumulate 76 hours of paid sick and carer's leave.

A registered agreement, award or contract can set out different entitlements to paid sick and carer's leave, but they can't be less than the minimum in the National Employment Standards.

How does paid sick and carer's leave accumulate?

Full-time and part-time employees accumulate sick and carer's leave during each year of employment. It starts accumulating from an employee's first day of work and is based on their ordinary hours of work.

The balance at the end of each year carries over to the next year.

Sick and carer's leave accumulates when an employee is on:

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

Sick and carer's leave doesn't accumulate when the employee is on:

- unpaid annual leave

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

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

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

How much paid sick and carer's leave can an employee take?

An employee can take as much paid sick or carer's leave as they have accumulated. There is no minimum or maximum amount of paid sick or carer's leave that can be taken at a time.

For what happens if paid leave runs out, go to:

- [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)
- [Unpaid carer's 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)

Source reference: [Fair Work Act 2009 s.96 and 97](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 \(www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/default\)](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
- Check [Record-keeping \(www.fairwork.gov.au/Pay/pay-slips-and-record-keeping/record-keeping\)](http://www.fairwork.gov.au/Pay/pay-slips-and-record-keeping/record-keeping) requirements for sick and carer's leave records

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)

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Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

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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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