

Compassionate Leave



Employees may be entitled to compassionate leave due to a death, serious illness or injury of a member of the employee's immediate family or household.

Compassionate Leave

An employee (other than a casual employee) may be granted leave with pay for up to three days on each occasion on which a member of the employee's immediate family or household contracts or develops a personal illness or injury that poses a serious threat to their life, or dies. The taking of paid leave occurs once for each occasion and may be taken any time during the injury or illness.

Immediate family has the same meaning as immediate family under the *Fair Work Act 2009* (Cth).

The employee will be entitled to an additional three days of unpaid compassionate leave if the paid leave entitlements have been exhausted.

Leave, with or without pay, in excess of that specified above may be granted if the principal is satisfied that three days is inadequate because of special circumstances (for example, funeral delay or extensive travelling involved).

In considering applications for compassionate leave, it is important to note that each case and the length of the leave should be considered on its merits.

Compassionate Leave – Casual Employees

Casual employees are entitled to not be available to attend work if a member of the casual employee's immediate family or household contracts or develop a personal illness or injury that poses a serious threat to their life, or dies. The employer and employee shall agree on the period for which the casual employee will be entitled to be unavailable to attend work.

In the absence of agreement, the casual employee is entitled to be unavailable to attend work for up to 48 hours (two days) per occasion.

Compassionate leave for casual employees will be without pay.

Evidence and Notice Requirements

All employees must, if required by the employer, provide evidence that would satisfy a reasonable person that the leave is taken for compassionate reasons.

All employees must give their employer notice of taking leave (which may be after the leave has commenced) and the period they expect to be on leave.

An employee is not entitled to take leave under this clause unless the employee complies with the evidence and notice requirements above.



Compassionate Leave – Non-Agreement Employees

All employees are entitled to two days of compassionate leave (also known as bereavement leave) each time a member of an employee's immediate family or household dies or suffers a life-threatening illness or injury.

Employees will be able to take compassionate leave for other relatives (i.e. cousins, aunts or uncles) if they are a member of the employee's household, or if the employer agrees to this.

Full time and part time employees receive paid compassionate leave at their base rate of pay for the ordinary hours they would have worked during the leave. This does not include separate entitlements such as incentive-based payments and bonuses, loadings, monetary allowances, overtime or penalty rates.

Casual employees receive unpaid compassionate leave.

References

- *Victorian Catholic Education Multi Enterprise Agreement 2013* (clause 31)

Legislation

- Fair Work Ombudsman