Calculating Sick Leave – 52 weeks  
(48 working weeks plus 4 weeks Annual Leave)

What is Sick Leave?

Sick leave is paid leave granted by an employer to an employee for a period of time during which the employee is unable to attend work due to any illness or incapacity.

Sick Leave Entitlements:

The current entitlement is 60.8 hours (8 days) per year sick leave which is pro-rata for permanent part-time staff.

Casual staff are not entitled to sick leave.

Sick Leave Accrual

This entitlement will accrue at the rate of:

1. 7.6 hours’ sick leave for each 6 weeks of employment.
2. \( \frac{60.8}{52} \) weeks (including paid sick, annual & long service leave) = **1.1692 hours per week**.
3. \( \frac{1.1692}{38} \) (hours per week) = **0.0308 hours per hour paid** (including paid sick and annual leave).

The hourly accrual figure is used for calculating accrual for both part-time and full-time employees.

*Example:* If an employee works 20 hours per week = **0.616 hours sick leave accrual per week**.

Taking of Sick Leave

*Notice*

The payment of sick leave is subject to the employee promptly advising the employer of the employee’s absence and its expected duration.

*Evidence*

When the employee’s absence is for more than 2 days the employee is required to give the employer a doctor’s certificate, or other reasonable acceptable evidence to the employer’s satisfaction, about the nature and approximate duration of the illness.

*Single Day Absences*

For any further evidence requirements please refer to the relevant Award.
**Part of a day**

Sick leave can be taken for part of a day. For example an employee who takes 3 hours off due to an illness or incapacity would use only 3 hours of their accumulated sick leave entitlements.

**Medical Appointments**

Ordinarily, absence from work to attend medical or dental appointments is not covered by sick leave.

Employees are not entitled to sick leave when absent from work to seek treatment if the illness or incapacity did not prevent attendance at work and when the treatment could reasonably be obtained outside working hours.

However, employees may be entitled to sick leave, if they are absent from work to obtain treatment because of:

- an illness or incapacity which prevents attendance at work; or
- an incapacity which prevents attendance at work on the day in question.

Similarly, sick leave is available for an absence from work because of an illness or incapacity caused by the after-effects of any treatment.

**Taking Sick Leave When Employee Is Not Sick**

Employees may use up to ten (10) days per year of their accumulated sick leave to care for their immediate family or members of their household who are ill. An employee wanting to use sick leave in this manner can be required by their employer to produce a doctor’s certificate and/or statutory declaration that the person being cared for is ill and requires care by another person. An employee cannot take carer’s leave if another person has taken leave to care for the same person.

For more information refer to the Industrial Relations Act 1999 (Queensland).

**Public Holidays during Sick Leave**

A Public Holiday that falls during sick leave, and is on a day that the employee would have ordinarily worked had the employee had not been sick, is paid as ordinary hours not sick leave. No reduction is made from the employee’s sick leave accrual for the public holiday.

**Frustration of Contract**

A contract may frustrate itself when the illness or incapacity is so serious that it brings about the end of the employer and employee relationship. In other words the employment comes to an end because the employee can no longer perform the duties for which they have been employed.

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