

	<h2>COMPASSIONATE LEAVE</h2>	<b>Document No:</b>	HR-PRO-024
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### 1. Purpose

The ACBC recognises that from time to time there will be situations where workers at ACBC agencies will have to deal with a death or a life-threatening illness of a family or household member. The entitlement to compassionate leave allows ACBC workers to take time off to care for themselves and their families and members of their household during these times.

### 2. Scope

This procedure applies to ongoing and part-time and casual workers in ACBC agencies.

### 3. Related Documents

Fair Work Act 2009  
[ACBC Conditions of Employment](#)  
[HR-PRO-011 Grievances](#)

### 4. Definitions

#### Compassionate Leave

Statutory entitlement to compassionate leave comes from the Fair Work Act, National Employment Standards (NES). Compassionate leave is available to all full-time, part-time and casual workers (including employees in Western Australia whose employer is unincorporated). Paid compassionate leave is not available to casual workers, who receive a loading to compensate for the lack of compassionate leave and various other entitlements.

The ACBC bases the compassionate leave entitlement on a worker's ordinary hours of work.

Under the ACBC Conditions of Employment, all workers other than casual workers are entitled to 3 days of paid compassionate leave each time an immediate family or household member dies or suffers a life threatening illness or injury.

The Australian Catholic Bishops Conference's Conditions of Employment details the entitlement to compassionate leave.

#### Supervisor

The Supervisor is a Bishop, an Agency Head, Director, Manager, Coordinator or Team Leader, who is responsible for the day-to-day supervision of workers.

#### Immediate family member

An immediate family member is a:

- spouse
- de facto partner
- child
- parent
- grandparent
- grandchild
- sibling, or
- child, parent, grandparent, grandchild or sibling of the worker's spouse or de facto partner

#### Household member

A household member is any person who lives with the worker.

## 5. Responsibilities

### Worker

The worker requesting compassionate leave must:

- Inform their Supervisor that they intend to take compassionate leave
- Complete the “[Application for Leave of Absence](#)” and submit it to their Supervisor for approval.

### Supervisor

The Supervisor is responsible for:

- Approval of compassionate leave
- Informing the payroll function of personal leave taken

## 6. When can a worker take compassionate leave

A worker can take compassionate leave take 3 days of paid compassionate leave on each occasion when a member of their immediate family or household:

- dies or
- suffers a life-threatening illness or injury

A worker can also take compassionate leave for other relatives (e.g. cousins, aunts and uncles) if they are a member of the worker's household, or if their supervisor agrees to this.

On each occasion, paid compassionate leave can be taken as:

- a single continuous 3 day period, or
- 3 separate periods of 1 day each, or
- any separate periods the worker and their supervisor agree.

## 7. Accrual of Compassionate Leave

A worker's compassionate leave does not accrue from year to year. It is available on each occasion where it is needed.

## 8. Giving notice of compassionate leave

A worker must let their supervisor know that they are going to take compassionate leave. This must be done as soon as possible, and can be after the leave has started. Worker's should also specify how long they will be off or expect to be off work. This will allow their supervisor to make arrangements to cover the period of compassionate leave, if required.

## 9. Evidence of reason for compassionate leave

A supervisor can ask a worker to give evidence (e.g. a death or funeral notice or statutory declaration) of the reason for taking compassionate leave. The request must be reasonable and made in a manner that displays understanding of the situation.

A worker who does not give their supervisor evidence when asked may not be entitled to be paid for their compassionate leave.

## 10. Pay during compassionate leave

A worker other than a casual worker will be paid at their base rate of pay for the ordinary hours they would have worked during the period of their compassionate leave.

During paid compassionate leave, the ACBC will not pay workers any of the following:

- incentive-based payments and bonuses
- loadings
- monetary allowances
- overtime or penalty rates

## 11. Unpaid Compassionate Leave

All workers, including casual employees are entitled to two (2) days unpaid compassionate leave on each occasion that an immediate family member or household member dies or suffers a life-threatening injury.

## 12. Process for taking Compassionate Leave

1. Workers may request compassionate leave at any time that they have a need for it. The worker must complete an "[Application for Leave of Absence](#)" stating the time that they wish to take off or have already taken off as compassionate leave. They must submit this form to their Supervisor as soon as possible and by the close of business on the first working day following the completion of the leave.
2. The Supervisor may either approve or refuse the request for leave. However, a Supervisor must not refuse compassionate leave without good reason (e.g. the reason for the leave does not fit the definition or eligibility for compassionate leave).
3. The Supervisor must consider the request for compassionate leave as outlined in the ACBC Conditions of Employment and approve the leave if the employee is eligible, by signing the "Application for Leave of Absence".
4. If the Supervisor has approved the application for leave of absence, the worker must forward the signed "Application for Leave of Absence" form to the payroll function.
5. If the Supervisor has refused the application for leave of absence, he /she must give the worker the reason for refusal and give the worker an opportunity to discuss the situation with a view to resolving the matter.
6. If the worker is not satisfied with the response from the Supervisor, they may take action according to the ACBC process for resolving grievances ([HR-PRO-011 Grievances](#))

## 10. Accrual of Entitlements while on Compassionate Leave

Leave entitlements continue to accumulate while workers are taking paid compassionate leave. However, leave does not accumulate during periods of unpaid leave, such as unpaid parental leave, or unpaid authorised absences.

## 11. Compassionate leave while on other paid leave

If a worker is already on another type of leave (e.g. annual leave or the paid parental leave) and needs to take compassionate leave, the worker can use their compassionate leave entitlement instead of the other leave.

## 12. Records

[Application for Leave of Absence form](#)