

Paid sick 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.

Who gets paid sick and carer's leave?

All employees except **casuals** are entitled to paid sick leave¹⁵. This entitlement comes from the National Employment Standards. **Employees may have to give notice or evidence to get paid for sick leave.**¹⁶ Medical certificates or statutory declarations are examples of acceptable forms of evidence. While there are no strict rules on what type of evidence needs to be given, the evidence has to convince a reasonable person that the employee was genuinely entitled to the sick or carer's leave.

Example: Type of evidence

Anna is a full-time employee at a retail store. When she started, her employer said if an employee is sick on a Monday, they need to provide a medical certificate as evidence that they were sick. Anna was sick with a cold over the weekend and had to take the Monday off. Anna gave her employer a statutory declaration when she came back to work on Tuesday because she couldn't get an appointment to see a doctor to ask for a medical certificate. She was paid for her day off.

How much paid sick leave does an employee get?

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.**¹⁷

How does paid sick leave accumulate?


Full-time and part-time employees accumulate sick 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. 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 leave that can be taken at a time.**¹⁸

Sick 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.**¹⁹

Sick 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.

source: <https://www.fairwork.gov.au/leave/sick-and-carers-leave/paid-sick-and-carers-leave/notice-and-medical-certificates> and <https://www.fairwork.gov.au/leave/sick-and-carers-leave/paid-sick-and-carers-leave> 

Answers:

- | | |
|------------------------|---------------------------------|
| 15. casuals | 20. 37% |
| 16. evidence | 21. motorbikes |
| 17. ordinary hours | 22. chemicals, Chemicals |
| 18. minimum or maximum | 23. work alone |
| 19. long service leave | 24. First aid, first aid |
| | 25. manufacturer's instructions |
| | 26. skills |
| | 27. satellite phones |

Agriculture and Safety

Agriculture is one of the most dangerous industries to work in due to the combination of hazards. These include plant, chemicals, noise, dust, sun exposure, working with animals as well as the fact many in the industry work alone or in remote locations. **Between 2010 and 2014** more than one in five workers who died at work worked in agriculture. It has the highest fatality rate of any Australian industry (14.8 fatalities per 100,000 workers) **Also, agricultural vehicles, for example tractors and quad bikes, accounted for 82 out of 221 (37%) worker deaths.**²⁰

There are many hazards on farms that are **less common** in other workplaces, such as machinery like augers, tractors, motorbikes, and quad bikes; **chemicals**²¹ such as pesticides, herbicides, fertilizers; animals, and extreme weather conditions.

In addition, farm workers often work alone²³ when lifting heavy loads or operating machinery and they also have fewer opportunities for sharing practices, observing, and learning from others. **Due to often working in isolated and remote conditions, help or first aid isn't always nearby**²⁴ if an incident occurs, and they may be without mobile phone coverage. The sector also has the highest proportion of self-employed workers (46%) of any industry and employs a higher proportion of older workers than any other industry (16% are aged 65 and over).

Although it is not possible to remove the risks associated with agricultural work, it is possible to reduce them. Ways to do this include choosing the safest equipment and keeping it well maintained. **Only using safe chemicals and strictly following the manufacturers' instructions.**²⁵ Ensuring that all workers are educated on the risks associated with working on a farm **and that they have the skills to work safely**²⁶, for example when handling animals or using farm equipment. There should be first aid equipment available at all work locations, and carried on all vehicles and when going to **areas without mobile phone coverage, satellite phones should be available for use**²⁷. Finally, new workers should always be closely supervised by an experienced farm hand.

adapted from: <https://www.safeworkaustralia.gov.au/agriculture> (CC BY 4.0)