

Employee entitlements during natural disasters or emergencies

Natural disasters often result in employees requiring time off to care for the family and property or to assist with disaster-relief activities.

Employers need to balance their staffing needs with the well-being of their staff when considering access to leave entitlements.

Employee's leave to take care of themselves or their family

Personal/carer's leave

Under the [National Employment Standards](#), employees (other than casual employees) affected by a natural disaster or emergency have an entitlement to take paid personal/carer's leave or compassionate leave. An employee would also be eligible for personal/carer's leave if their child's school is closed due to a natural disaster or emergency.

Employees who have used all their paid personal/carer's leave entitlement, and casual employees, are eligible for up to 2 days unpaid carer's leave per occasion to provide care and support to a family or household member due to illness injury or in the event of an unexpected emergency (such as a natural disaster).

Compassionate leave

Employees (including casual employees) are also entitled to two days compassionate leave to spend time with a member of their immediate family or household who has sustained a life-threatening illness or injury. Compassionate leave may also be taken after the death of a member of the employee's immediate family or household. Employees (other than casual employees) are entitled to be paid for periods of compassionate leave.

Notice and evidence requirements

An employee must give their employer notice of the taking of any of the above leave and the employer may ask for supporting evidence, e.g. medical certificates, evidence of school closure.

Employee's leave to assist with disaster-relief activities

Community service leave

The [National Employment Standards](#) provide an entitlement to UNPAID leave for those who engage in a voluntary emergency management activity, such as the CFA or SES.

Employees must give employers notice of their intention to take community service leave as soon as possible and advise the employer of the expected length of the absence, including reasonable travel time associated with the activity, and reasonable rest time immediately following the activity.

Employers can request reasonable evidence of the need for the leave. Also, all four of the following criteria must be met:

1. The employee engages in an activity that involves dealing with an emergency or natural disaster, and
2. The engagement is voluntary, and
3. The employee is a member of, or has a member-like association with, a recognised emergency management body, and
4. Either the employee was requested by the body to engage in the activity; or if no such request was made, it would be reasonable to expect that, if the circumstances had permitted the making of such a request, it would have been made.

Further information:

National Employment Standards:

www.thepeopleindairy.org.au/engagement-reward/national-employment-standards.htm

Fair Work Ombudsman - Community service leave

www.fairwork.gov.au/leave/community-service-leave