

(Fair Work Act 2009)

Subdivision B—Unpaid carer’s leave

102 Entitlement to unpaid carer’s leave

An employee is entitled to 2 days of unpaid carer’s leave for each occasion (a *permissible occasion*) when a member of the employee’s immediate family, or a member of the employee’s household, requires care or support because of:

- (a) a personal illness, or personal injury, affecting the member; or
- (b) an unexpected emergency affecting the member.

103 Taking unpaid carer’s leave

- (1) An employee may take unpaid carer’s leave for a particular permissible occasion if the leave is taken to provide care or support as referred to in section 102.
- (2) An employee may take unpaid carer’s leave for a particular permissible occasion as:
 - (a) a single continuous period of up to 2 days; or
 - (b) any separate periods to which the employee and his or her employer agree.
- (3) An employee cannot take unpaid carer’s leave during a particular period if the employee could instead take paid personal/carer’s leave.

Note: The notice and evidence requirements of section 107 must be complied with.