

*The National Employment Standards (NES) sets your minimum annual leave entitlements.*

## **87 Entitlement to annual leave**

### *Amount of leave*

- (1) For each year of service with an employer (other than periods of employment as a casual employee of the employer), an employee is entitled to:
  - (a) 4 weeks of paid annual leave; or

### *Accrual of leave*

- (2) An employee's entitlement to paid annual leave accrues progressively during a year of service according to the employee's ordinary hours of work, and accumulates from year to year.

Note: If an employee's employment ends during what would otherwise have been a year of service (other than periods of employment as a casual employee of the employer), the employee accrues paid annual leave up to when the employment ends.

## **89 Employee not taken to be on paid annual leave at certain times**

### *Public holidays*

- (1) If the period during which an employee takes paid annual leave includes a day or part-day that is a public holiday in the place where the employee is based for work purposes, the employee is taken not to be on paid annual leave on that public holiday.

### *Other periods of leave*

- (2) If the period during which an employee takes paid annual leave includes a period of any other leave (other than unpaid parental leave) under this Part, or a period of absence from employment under Division 8 (which deals with community service leave), the employee is taken not to be on paid annual leave for the period of that other leave or absence.

## **129 Regulations about what can be agreed to etc. in relation to award/agreement free employees**

The regulations may:

- (a) permit employers, and award/agreement free employees, to agree on matters that would or might otherwise be contrary to this Part; or
- (b) prohibit employers and award/agreement free employees from agreeing on matters, or prohibit employers from making requirements of such employees, that would or might otherwise be permitted by a provision of this Part.

	<p><b>2.03 What can be agreed to etc. in relation to award/agreement free employees</b></p> <p>For paragraph 129(a) of the Act, employers and award/agreement free employees may agree to the provision of either or both of:</p> <p><b>2.03 What can be agreed to etc. in relation to award/agreement free employees</b></p> <p>For paragraph 129(a) of the Act, employers and award/agreement free employees may agree to the provision of either or both of:</p>
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