

*Based on your responses you may be entitled to compassionate leave.*

## **104 Entitlement to compassionate leave**

- (1) An employee is entitled to 2 days of compassionate leave for each occasion (a permissible occasion) when:
  - (a) a member of the employee's immediate family or a member of the employee's household:
    - (i) contracts or develops a personal illness that poses a serious threat to his or her life; or
    - (ii) sustains a personal injury that poses a serious threat to his or her life; or
    - (iii) dies; or
  - (b) a child is stillborn, where the child would have been a member of the employee's immediate family, or a member of the employee's household, if the child had been born alive; or
  - (c) the employee, or the employee's spouse or de facto partner, has a miscarriage.
- (2) Paragraph (1)(c) does not apply:
  - (a) if the miscarriage results in a stillborn child; or
  - (b) to a former spouse, or former de facto partner, of the employee.

Note: For the definition of a *stillborn* child, see subsection 77A(2).

## **Division 2—The Dictionary**

### **12 The Dictionary**

In this Act:

*miscarriage* means a spontaneous loss of an embryo or fetus before a period of gestation of 20 weeks.

## **105 Taking compassionate leave**

- (2) An employee may take compassionate leave for a particular permissible occasion as:
  - (a) a single continuous 2 day period; or
  - (b) 2 separate periods of 1 day each; or
  - (c) any separate periods to which the employee and his or her employer agree.