

# Work-life balance quick reference guide for private sector managers



# **Work-life balance quick reference guide for Queensland private sector managers**

## **Provisions for employees covered by the Federal Industrial Relations System**

Work-life balance policies are provided for by the National Employment Standards (NES) contained in the *Fair Work Act 2009*, and therefore must be provided by the employer.

The use of work-life balance policies, including flexible working arrangements, is a best practice approach for business. At present private sector organisations have varying written policies dealing with flexible working arrangements, but they are not necessarily used. The Queensland Government is committed to actively educating and providing practical tools to implement work-life balance policies and flexible working arrangements for organisations and their employees.

Consequently, the Work-Life Balance Strategy has been developed by the Department of Justice (JAG) and Attorney-General's Office of Fair and Safe Work Queensland (OFSWQ). This strategy aims to improve the implementation and uptake of work-life balance policies.

The strategy offers:

- assistance to organisations to identify their specific barriers to the uptake and implementation of work-life balance policies and develop initiatives to address them
- information and practical tools for managers and employees to help them put work-life balance policies into practice.

One of the practical tools which has been developed is the Work-Life Balance Quick Reference Guide for Queensland Private Sector Managers. The guide is designed to outline the work-life balance policies available to Queensland private sector employees. The guide is applicable only to employees in the private sector.

A second quick reference guide for public sector managers and a series of guides to help managers implement specific work-life balance initiatives such as telecommuting, flexible work hours, compressed working arrangement, part-time work and job sharing are also available at the

This document is a guide only and must be read in conjunction with the applicable award/certified agreement. Your organisation's specific policies may provide for more beneficial conditions than what is listed. If so, the superior conditions apply.

Different conditions may also apply to different employee groups so please contact your human resources area if you require clarification or to confirm the available work-life balance policies for employees under your management.

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<b>Definitions</b>	
Base rate of pay - as per <a href="#">Fair Work Act 2009</a>	The base rate of pay of a national system employee is the rate of pay payable to the employee for his or her ordinary hours of work, but not including any of the following: <ul style="list-style-type: none"> <li>(a) incentive-based payments and bonuses;</li> <li>(b) loadings;</li> <li>(c) monetary allowances;</li> <li>(d) overtime or penalty rates; and</li> <li>(e) any other separately identifiable amounts.</li> </ul>
De facto partner - as per <a href="#">Fair Work Act 2009</a>	A defacto partner of a national system employee: <ul style="list-style-type: none"> <li>a) means a person who, although not legally married to the employee, lives with the employee in a relationship as a couple on a genuine domestic basis (whether the employee and the person are of the same sex or different sexes); and</li> <li>b) includes a former de facto partner of the employee.</li> </ul>
Full rate of pay- as per <a href="#">Fair Work Act 2009</a>	The full rate of pay of a national system employee is the rate of pay payable to the employee, including the following: <ul style="list-style-type: none"> <li>(a) incentive-based payments and bonuses;</li> <li>(b) loadings;</li> <li>(c) monetary allowances;</li> <li>(d) overtime or penalty rates; and</li> <li>(e) any other separately identifiable amounts.</li> </ul>
Immediate Family – as per <a href="#">Fair Work Act 2009</a>	The term ‘immediate family’ of a national system employee means: <ul style="list-style-type: none"> <li>a) a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or</li> <li>b) a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee.</li> </ul>
Long Term Casual Employee – as per <a href="#">Fair Work Act 2009</a>	A national system employee of a national system employer is a <b>long term casual employee</b> at a particular time if, at that time: <ul style="list-style-type: none"> <li>(a) the employee is a casual employee; and</li> <li>(b) the employee has been employed by the employer on a regular and systematic basis for a sequence of periods of employment during a period of at least 12 months.</li> </ul>

<b>Annual leave</b>	
<i>Sections 86-94 Fair Work Act 2009 (Cth)</i>	
<b>What is it</b>	An employee receives a minimum of four weeks annual leave for each full year of employment. Shift workers are entitled to a minimum of five weeks per year.
<b>Who does it apply to</b>	Full-time and part-time employees. Casual employees are <i>not</i> included.
<b>How does it work</b>	Annual leave accrues over the year and from year to year. It is <i>exclusive</i> of public holidays. Any public holidays that fall during a period of annual leave are <i>in addition</i> to annual leave; i.e. the public holiday is <i>added on</i> to the period of annual leave. Leave may be taken for a period agreed between the employee and the employer. The employer must not unreasonably refuse a request for annual leave. All untaken annual leave is payable to the employee on termination of employment.
<b>Cashing out annual leave</b>	A portion of annual leave may be cashed out (if provided for in a relevant award or agreement); but, cashing out cannot lower the employee’s remaining accrued entitlement to less than four weeks of annual leave.

<b>Community service leave</b>
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<i>Sections 108-112 Fair Work Act 2009 (Cth)</i>	
<b>What is it</b>	Leave to engage in eligible community service which is: (a) jury service (including attendance for jury selection); or (b) voluntary emergency management activity; or (c) an activity prescribed in a regulation that is of a community service nature.
<b>Who does it apply to</b>	All employees.
<b>How does it work</b>	An employee is entitled to be absent from work to engage in an eligible community service activity. The employee may also be absent for travel time that is reasonably associated with the activity and for a reasonable rest period immediately following the activity. An employee is also entitled to be absent from work to attend jury service. Employees <i>other than casuals</i> are entitled to their base rate of pay for their ordinary hours of work in the period. Where the employee receives a jury service allowance (i.e. from the court), the employee is entitled to be paid <i>the difference</i> between the allowance received from the court and their base rate of pay. The difference is to be paid by the employer. However, payment for jury service is only required for the first 10 days of jury service.
<b>Employee obligations</b>	The employee must give notice of their absence as soon as practicable; this may be after the absence has started. The employee must also advise the employer of the period, or expected period of absence. In relation to jury service, the employee may be required to provide evidence that all steps have been taken to obtain jury service pay. They may also be required to provide evidence of the total amount of jury service pay that is payable to the employee for the period.

<b>Compassionate leave</b> <i>Sections 104-106 Fair Work Act 2009 (Cth)</i>	
<b>What is it</b>	<i>Paid</i> leave to deal with a serious illness or death of an employee's household or immediate family.
<b>Who does it apply to</b>	Part-time and full-time employees.
<b>How does it work</b>	An employee (including a casual employee) is entitled to two days of compassionate leave <i>for each</i> occasion a member of the employee's household or immediate family dies, or who has sustained a life-threatening illness or injury. An employee may take compassionate leave for each occasion as: <ul style="list-style-type: none"> <li>• a single continuous two day period or</li> <li>• two separate periods of one day each or</li> <li>• any separate periods to which the employee and his or her employee agree.</li> </ul> The employee is entitled to be paid compassionate leave at the base rate of pay for the ordinary hours they have worked during the period. Casual employees are not entitled to any paid personal/carer's leave or compassionate leave. However, casuals are entitled to unpaid carer's leave or compassionate leave.
<b>Employee obligations</b>	The employee must give notice of leave as soon as practicable; this may be after the leave has started. The employee must also advise the employer of the expected duration of leave. If required, they must provide the employer with evidence (that would satisfy a reasonable person) that leave is taken for the reason specified.

<b>Long service leave</b> <i>Sections 42-57, Industrial Relations Act 1999 (Qld)</i>	
<b>What is it?</b>	A period of <i>paid</i> leave given to an employee in recognition of a long period of service to the employer. Leave is paid at the ordinary rate received by the employee immediately before leave is taken.

<b>Who does it apply to?</b>	All employees in Queensland are entitled to long service leave subject to certain conditions. Casual, regular part-time and seasonal employees have specific entitlements. An employee whose employment is covered by a federal award that provides for long service leave, are entitled to long service leave in accordance with that federal award.
<b>How does it work?</b>	<p>Long service leave is regulated under State legislation. Employers and employees should refer to the <i>Industrial Relations Act 1999 (Qld)</i> for details of long service leave provisions for the private sector. A brief outline is detailed below:</p> <p>An employee is entitled to long service leave on full pay of 8.6667 weeks for the first 10 years of continuous service. After an employee has completed their first 10 years continuous service, they are entitled to take any further long service leave accumulated only after another five years continuous service (i.e. after 15 years continuous service).</p> <p>Long service leave entitlements accumulated for such periods but which have not been taken are payable on termination. Employees are entitled to receive proportionate payment of long service leave on termination of employment after completing seven years continuous service. This payment is often called pro rata long service leave.</p> <p>However, employees who have completed seven but less than 10 years continuous service are entitled to pro rata long service leave only if:</p> <ul style="list-style-type: none"> <li>• the employee's service is terminated by their death;</li> <li>• the employee terminates their service because of their illness or incapacity or because of a domestic or other pressing necessity;</li> <li>• the employer dismisses the employee for a reason other than the employee's conduct, capacity or performance; or</li> <li>• the employer unfairly dismisses the employee.</li> </ul> <p>For an employee who has 10 years continuous service or more, the payment of pro rata long service leave on termination of employment is not subject to the above listed criteria.</p> <p>From 23 June 1990, a casual employee who is regularly employed by the same employer for at least 32 hours in each consecutive period of four weeks has an entitlement to long service leave. On 30 March 1994, the legislation was amended so that all continuous service after that date is taken into account in calculating long service leave entitlements. However, the continuous service ends if the employment is broken by more than three months between the end of one employment contract and the start of the next employment contract.</p> <p>In the case of casual employees who qualified for long service leave in accordance with any previous legislation, each period is totaled and taken into account.</p> <p>The casual entitlement to long service leave is calculated as the number of hours for the complete period of employment worked/52 x 8.6667/10.</p>

<p><b>Parental leave</b>  <i>Section 70-79 and 83-84, Fair Work Act 2009 (Cth)</i></p>	
<b>What is it</b>	12 months <i>unpaid leave</i> to be the caregiver for a child born to the employee or their spouse/de facto partner; or for a child (under 16 years of age) placed with the employee for adoption.
<b>Who does it apply to</b>	<p>Employees who have completed at least 12 months of service with the employer. This includes a long term casual employee (i.e. a casual employee engaged by the employer on a regular and systematic basis for a sequence of periods of employment during a period of at least 12 months)</p> <p>The 12 months of service must be completed by the date of birth/expected date of birth; or</p>

	by the date of placement/expected date of placement of the child.
<b>How does it work</b>	<p><u>Start and duration of leave</u> Leave must be taken in a single continuous period.</p> <p>Leave must start no later than the date of birth or the date of placement of the child. Leave may start up to six weeks before the expected birth of the child for a female employee who is pregnant.</p> <p>If the employee has a partner <u>who is not an employee under the federal system</u> and that partner has responsibility for the care of the child from the date of birth/placement, the employee may start their parental leave at any time within 12 months of date of birth/placement of the child.</p> <p>For an employee couple (where two employees are in a spousal or de facto relationship), each eligible member may take a separate period of up to 12 months of unpaid parental leave. The following rules apply to an employee couple if both employees take unpaid parental leave:</p> <ul style="list-style-type: none"> <li>• both employees may at the same time each take up to three weeks unpaid parental leave (reducing their overall entitlement) either immediately after the birth or placement of a child or, by agreement with the employer, at any time during an extended period starting before the birth and ending no later than six weeks after the birth or placement</li> <li>• remaining leave must be taken separately in a single continuous period</li> <li>• if the employee who take leave first is pregnant or gives birth, they may start their leave up to 6 weeks before the expected date of birth</li> <li>• if the employee who takes leave first is not pregnant, their leave must start on the date of birth or placement of a child</li> <li>• the second employee must start their leave immediately after the first employee's leave finishes</li> <li>• they are entitled to no more than 24 months between them</li> </ul>
<b>What the employee should do</b>	<ul style="list-style-type: none"> <li>• The employee must give <u>written notice</u> of intention to take leave at least 10 weeks before the expected start date, or as soon as practicable. The notice must specify the intended start and end dates of leave</li> <li>• At least four weeks before the intended start date, the employee must confirm the intended start and end dates of leave, or advise the employer of any changes.</li> <li>• Once notice has been given, the employer may request reasonable evidence of the date of birth/placement. This evidence may be a medical certificate.</li> </ul>
<b>Extension of parental leave up to 12 months</b>	<p>If they have taken less than their available parental leave, the employee may extend their leave up to the total of 12 months.</p> <p>The employee's total available period of leave is 12 months <u>less</u>:</p> <ul style="list-style-type: none"> <li>• any concurrent leave (for an employee couple)</li> <li>• any unpaid parental leave taken by their partner if they are an employee couple</li> <li>• any leave directed to be taken by the employer</li> <li>• any <u>special maternity leave</u>* (refer below)</li> </ul> <p>The employee must give the employer <u>written notice</u> of extension at least 4 weeks before the end date of the original leave. The notice must specify the new end date for leave.</p> <p>Only one extension is permitted, but <u>if the employer agrees</u> the employee may request further extension.</p> <p>The employee <u>cannot</u> extend leave beyond the total available period. If the employee is a member of an employee couple, the parental leave shared between both employees <u>must not exceed</u> 12 months in total.</p>
<b>Extension of parental leave up to 24 months</b>	<p>An employee taking 12 months parental leave may request an extension of a further 12 months leave (up to 24 months in total), unless they are a member of an employee couple and the other member has already taken 12 months of leave.</p> <p>The request must be <u>in writing and given to the employ</u> at least four weeks before the end of the original period of parental leave.</p>

<p><b>Can the employer refuse?</b></p>	<p>Maternity leave up to 12 months is an entitlement of the employee, it cannot be refused.</p> <p>With regard to an extension beyond 12 months: the employer must give a <i>written response</i> stating whether they grant or refuse the request for extension. The response must be given as soon as practicable and <i>no later than 21 days after the request has been made</i>.</p> <p>The employer may refuse the request <i>only on reasonable business grounds</i>. Any refusal must include <i>written details of the reasons for refusal</i>.</p> <p>The employee <i>is not entitled</i> to extend unpaid parental leave beyond 24 months after the date of birth/placement of the child.</p>
<p><b>Other employer obligations</b></p>	<p>If the employer makes a decision that will have a significant effect on the status, pay or location of the employee's pre-leave position, all reasonable steps must be taken to give the employee information about and an opportunity to discuss the changes.</p> <p>On ending parental leave, an employee is <i>entitled to return to the position they had before leave</i> (the return to work guarantee). If that position no longer exists, the employee is to return to an available position. The available position must be one that the employee is qualified and suited to, and the nearest in status and pay to the employee's pre-leave position.</p>

## Related to parental leave: unpaid pre-adoption leave

*Section 85 Fair Work Act 2009 (Cth)*

<p><b>What is it</b></p>	<p>Up to two days unpaid leave to attend any interviews or examinations required to obtain approval for adoption.</p>
<p><b>Who does it apply to</b></p>	<p>A full-time, part-time or long term casual employee who have completed at least 12 months of service with the employer.</p>
<p><b>How does it work</b></p>	<p>The employee is entitled to pre-adoption leave unless they have some other form of leave that can be taken instead and the employer directs that other form of leave to be taken.</p> <p>If pre-adoption leave is granted, it may be taken in a single continuous period or at separate periods as agreed by the employer and employee.</p>
<p><b>What the employee should do</b></p>	<ul style="list-style-type: none"> <li>• Give notice of taking pre-adoption leave as soon as practicable. This may be after the leave has started.</li> <li>• Advise the period or expected period of leave.</li> <li>• If required, give evidence that would satisfy a reasonable person that the leave is taken to attend an interview or examination.</li> </ul>

## Related to parental leave: special maternity leave

*Section 80 Fair Work Act 2009 (Cth)*

<p><b>What is it</b></p>	<p>Unpaid special leave granted when the employee is unfit for work because of a pregnancy-related illness.</p> <p>It also applies when the pregnancy terminates within 28 weeks of the expected birth of the child.</p>
<p><b>Who does it apply to</b></p>	<p>A pregnant female employee who has completed at least 12 months of service with the employer. This includes full-time, part-time and long term casual employees.</p>
<p><b>How does it work</b></p>	<p>The employee may take special maternity leave if has a pregnancy related illness, or if she has a miscarriage or stillbirth within 28 weeks of the expected birth of the child.</p> <p>The entitlement to 12 months parental leave <i>is reduced</i> by the amount of special maternity leave taken by the employee.</p>
<p><b>What the employee should do</b></p>	<ul style="list-style-type: none"> <li>• Give notice that she is taking special maternity leave. Notice must be given as soon as practicable (which may be after the special leave has started).</li> <li>• Advise the period or expected period of leave.</li> </ul> <p>If required by the employer, provide evidence that would satisfy a reasonable person that leave is taken for pregnancy-related illness or miscarriage/stillbirth. The employer may</p>

	request a medical certificate.
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<b>Related to parental leave: direct or require an employee to take unpaid leave</b> <i>Section 73 Fair Work Act 2009 (Cth)</i>	
<b>What is it</b>	The employee may require a pregnant employee to take <u>unpaid</u> leave during the 6 week period before the expected birth of the child.
<b>Who does it apply to</b>	Any full-time, part-time or long term casual employee who has completed at least 12 months of service with the employer.  Note: this particular type of leave will apply regardless of whether the employee has completed all notification requirements necessary to take parental leave.
<b>How does it work</b>	The employer may ask the pregnant employee to provide a medical certificate stating that she is fit for work <u>and</u> there is no risk to her of illness or risk arising from the pregnancy, or hazard connected to a continuation in her present position. This request may be made anytime within 6 weeks of the expected date of birth.  If the employee does not provide the medical certificate within seven days of the request, or provides a certificate that states she is unfit for work, the employer may require her to take a period of <u>unpaid</u> parental leave. This period of leave concludes at the end of pregnancy, or at the start date of any unpaid parental leave originally applied for by the employee.  This period of leave <u>comes out of and reduces</u> the 12 months of parental leave an employee is entitled to.

<b>Related to parental leave: transfer to a safe job</b> <i>Section 81 Fair Work Act 2009 (Cth)</i>	
<b>What is it</b>	Where a pregnant female employee can show that she is <u>fit for work</u> , but it is inadvisable for her to continue working at her current position because of illness, risks, arising out of her pregnancy, or hazards connected with that position, she is entitled to be moved to an appropriate <u>safe job</u> , or to receive <u>paid, no safe job leave</u> .
<b>Who does it apply to</b>	This entitlement applies if the employee: <ul style="list-style-type: none"> <li>• is entitled to unpaid parental leave</li> <li>• has complied with the notice and evidence requirements for accessing that unpaid parental leave</li> <li>• has provided evidence (e.g. a medical certificate) that would satisfy a reasonable person that they are fit for work, but that it is inadvisable for them to continue in their present position during a period because of: <ul style="list-style-type: none"> <li>- illness of risks arising out of the pregnancy or</li> <li>- hazards connected with that position</li> </ul> </li> </ul>
<b>How it works</b>	Once the required evidence is provided and there is an appropriate safe job available, <u>the</u> employee must be transferred to that job for the duration of the risk period. There should be <u>no other change</u> to the employee's terms and conditions of employment. <u>The employer</u> must pay the employee at their full rate of pay for the position they were in before the transfer, for the hours they work in the risk period.  An appropriate safe job has: <ul style="list-style-type: none"> <li>• the same ordinary hours of work as the employee's present position; or</li> <li>• a different number of ordinary hours <u>agreed to by the employee</u></li> </ul> If there is no appropriate safe job available, the employee is entitled to take <u>paid 'no safe job leave'</u> for the risk period, and be paid at their base rate of pay for ordinary hours of work in the risk period.
<b>Cross over with requirement to take unpaid leave (refer above)</b>	If the employee goes on <u>paid, no safe job leave</u> during the six week period before the expected date of birth, <u>the employer may request a medical certificate</u> confirming that the employee is still fit for work at any time within that six week period. This provision would cover a situation where the employee was initially fit for work and went on <u>paid, no safe</u>

	<p><i>job leave</i>, but the pregnancy is now in the six week period before the birth of the child. The employer may feel at this point that the employee could be unfit to work – so they may request a medical certificate confirming the employee’s health.</p> <p>The employer may require the employee to take a period of unpaid parental leave as soon as practicable if:</p> <ul style="list-style-type: none"> <li>• the employee does not give the employer a medical certificate within seven days after the request or</li> <li>• within seven days after the request, the employee provides a certificate stating that they are not fit for work.</li> </ul> <p>The no safe job leave ends when the period of unpaid parental leave starts. This period of leave <i>comes out of and reduces</i> the 12 months of parental leave an employee is entitled to.</p>
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<h2>Personal/carer’s leave</h2> <p><i>Sections 95-101 Fair Work Act 2009 (Cth)</i></p>	
<b>What is it</b>	Leave taken when the employee is unfit for work because of <i>personal illness or injury</i> , or <i>to provide care or support</i> to a member of the employee’s immediate family or household.
<b>Who does it apply to</b>	Full-time and part-time employees. Casual employees are <i>not</i> included.
<b>How does it work</b>	<p>The employee may take paid leave for</p> <ul style="list-style-type: none"> <li>• a personal illness or injury or</li> <li>• to provide care or support to a member of their household or immediate family, because of a personal illness/injury or an unexpected emergency affecting the member.</li> </ul> <p><i>A member of the employee’s immediate family</i> includes a spouse, de factor partner, child, parent, grandparent, grandchild or sibling of the employee; or a child, parent, grandparent, grandchild or sibling of the employee’s spouse or de facto partner.</p> <p>An employee is entitled to 10 days of personal/carer’s leave for each year of service and this leave accrues progressively during the year, and from year to year.</p>
<b>Employee obligations</b>	<p>The employee must give notice of leave as soon as practicable (this may be after the leave has started). The employee must also advise the employer of the expected duration of leave.</p> <p>If required, they must provide the employer with evidence (that would satisfy a reasonable person) that leave is taken for the reason specified.</p>
<b>Cashing out leave</b>	<p>For employees covered by an award or agreement, cashing out of paid personal/carer’s leave is permitted if all of the following applies:</p> <ul style="list-style-type: none"> <li>• the award or agreement allows the practice</li> <li>• there is a separate agreement in writing on each occasion</li> <li>• the employee retains a balance of at least 15 days of untaken paid personal/carer’s leave</li> <li>• the employee is paid at least the full amount that would have been payable had the employee taken the leave they have cashed out.</li> </ul> <p>An award/agreement-free employee is not able to cash out paid personal/carer’s leave.</p>

<h2>Related to personal/carer’s leave: unpaid carer’s leave</h2> <p><i>Sections 102-103 Fair Work Act 2009 (Cth)</i></p>	
<b>What is it</b>	<i>Unpaid</i> leave to provide care or support to a member of the employee’s household or immediate family.
<b>Who does it apply to</b>	All employees
<b>How does it work</b>	An employee may take two days unpaid carer’s leave <i>for each</i> occasion a member of their

	<p>household or immediate family requires care or support because of personal illness or injury,, or an unexpected emergency.</p> <p><i>Member of household or immediate family</i> includes a spouse, de factor partner, child, parent, grandparent, grandchild or sibling of the employee, or a child, parent, grandparent, grandchild or sibling of the employee’s spouse or partner.</p> <p>An employee may take the two days of leave in a single period, or take the leave as separate periods agreed to by both the employee and employer.</p> <p>The employee cannot take unpaid carer’s leave if they could take paid personal/carer’s leave instead.</p>
<b>Employee obligations</b>	<p>The employee must give notice of leave as soon as practicable (this may be after the leave has started). The employee must also advise the employer of the expected duration of leave.</p> <p>If required, they must provide the employer with evidence (that would satisfy a reasonable person) that leave is taken for the reason specified.</p>

## Public Holidays

*Sections 114-116, Fair Work Act 2009 (Cth)*

<b>What is it</b>	<i>Paid</i> leave to allow employees to be absent from work on a public holiday.
<b>Who does it apply to</b>	All employees who would, during normal work hours, work on the day a public holiday occurs. An employee is not entitled to payment for public a holiday if they do not have ordinary hours of work on the public holiday. For example, a part-time employee is not entitled to payment if their part-time hours do not include the day of the week on which the public holiday falls.
<b>How does it work</b>	<p>An employee is entitled to receive paid leave from work on a day or part-day that is a public holiday. An employer <i>may request an employee to work on a public holiday if the request is reasonable</i>. However the <i>employee may refuse to work</i> on the public holiday if the request is unreasonable or if their refusal to work on a public holiday is reasonable. In determining whether a request (or a refusal of such a request) to work on a public holiday is reasonable, factors taken into account include:</p> <ul style="list-style-type: none"> <li>• the nature of the employer’s workplace and the nature of the work performed by the employee</li> <li>• the employee’s personal circumstances, including family responsibilities</li> <li>• the type of employment (e.g. full-time, part-time, casual or shiftwork)</li> </ul>
<b>What the employee should do</b>	The employee is not required to give notice to his or her employer when absent on a public holiday unless there has been a previous arrangement for them to work on that day. If requested to work on a public holiday the employee must notify their employer as to whether they can or can not work on a public holiday. Refusal to work on a public holiday, if requested to do so by an employer, must be reasonable.
<b>What the employer should do</b>	The employer must pay an eligible employee (other than a casual employee) the base rate of pay for the employee’s ordinary hours of work on the day or part-day that is a public holiday.

## Requests for flexible work arrangements

*Sections 65 and 66, Fair Work Act 2009 (Cth)*

<b>What is it</b>	An employee may request a change in work arrangements to assist the employee to care for a child.
<b>Who does it apply to</b>	An employee who is a parent, or has responsibility for the care, of a child who is under school age, or under 18 and has a disability.
<b>How does it work</b>	The employee must have completed at least 12 months continuous service with the employer immediately before making the request; or be a long term casual employee. Changes in work arrangements can include changes to hours of work, patterns of work or the location of work.
<b>What the employee should do</b>	The employee must make the request <i>in writing</i> and set out details of the changes sought and reasons for those changes.
<b>What the employer should do</b>	The employer must give the employee a <i>written response</i> to the request <i>within 21 days</i> stating whether the requests will be granted or refused. The employee may refuse the request <i>only on reasonable business grounds</i> . If the employer refuses the request, the employer's written response <i>must</i> include <i>reasons for the refusal</i> .