**LEAVE RECORD**

The exact format and contents of this template will vary according to the organisation. Therefore, the following template can be used as guide and relevant changes made accordingly. However, any wording changes, other than those to insert a company or a person’s name(s), may change the context, meaning or purpose of the template and we recommend you receive advice from our Workplace Relations Consultants prior to making such changes.

## Contacting the Victorian Chamber of Commerce and Industry

The Victorian Chamber’s team of experienced workplace relations advisors can assist members with a range of employment, human resources and industrial relations issues.

Our team of consultants can also provide assistance to both members and non-members on a range of more complex matters for a fee-for-service. Our consultants can, among other things, provide training to employees, conduct investigations and provide representation at proceedings at the Fair Work Commission.

For assistance or more information, please contact the Workplace Relations Advice Line on **(03) 8662 5222.**

Disclaimer

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**LEAVE RECORD**

This leave record template can either be used for the following types of leave:

Annual leave

* Personal/carer’s and compassionate leave
* Long service leave
* Unpaid leave (e.g. leave without pay or parental leave)
* Community service leave (e.g. jury service or SES leave)

Employee Name: Annual Leave Entitlement:

Employment Status: Personal Leave Entitlement:

Employee Commencement Date: Long Service Leave:

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| --- | --- | --- | --- | --- | --- | --- |
| TYPE OF LEAVE | DATE START | DATE END | REASON FOR LEAVE | EVIDENCE RECEIVED  YES / NO | LEAVE TAKEN  (HRS OR DAYS) | BALANCE  (HRS OR DAYS) |
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**Leave Cash Out Record (annual and personal/carers’ leave only)**

The following leave record template is required when there is a mutual agreement between an employer and an employee to cash out an amount of leave. Cashing out of annual leave or personal/carers’ leave can only be made under the following circumstances:

The employee is award/agreement free; or

* Cashing out terms under an enterprise agreement; or
* Cashing out terms in a modern award\*

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| --- | --- | --- | --- | --- | --- | --- |
| TYPE OF LEAVE  (Annual or Personal) | AMOUNT CASHED OUT  (HRS OR DAYS) | BALANCE REMAINING  (HRS OR DAYS) | RATE OF PAY  (PER HR) | BASE AMOUNT PAID | LEAVE LOADING  (Annual leave only) | TOTAL AMOUNT PAID |
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The Fair Work Act 2009 (Cth) states the cash out of annual leave or personal/carers’ leave for must be made under the following terms:

Each agreement to cash out a particular amount of paid annual or personal/carer’s leave must be a separate agreement in writing; and

* The employer must pay the employee at least the full amount that would have been payable to the employee had the employee taken the leave that the employee has forgone; and

The cash out must not result in the employee having less than 4 weeks of annual leave or 15 days of personal/carer’s leave accrued

\*NOTE: Please ensure that your modern award contains terms for cashing out of annual leave or personal/carers’ leave. If there are no provisions in the modern award, cashing out is prohibited and considered a breach of the modern award under the Fair Work Act 2009 (Cth).

Current penalties for breaching the modern award can be up to $13,320 for an individual and up to $66,600 for a body corporate. Higher penalties may be imposed for ‘Serious contraventions’.