

When employees can take paid family and domestic violence leave

All employees can take 10 days from the day they first start work. They don't have to accumulate the leave over time. The entitlement renews every 12 months but doesn't accumulate from the date the employee started work if it isn't used. The leave can be taken as single or multiple days and doesn't have to be taken all at once. It can also be taken as less than one day by agreement with an employer. Visit the [Fair Work Ombudsman's](#) website for more info.

Employees must be experiencing family and domestic violence to be eligible.

Employees can take the leave to do something to deal with the impact of family and domestic violence and it's not practical for them to do so outside of their work hours. For example, this could include:

- making arrangements for their safety, or safety of a close relative (including relocation)
- attending court hearings
- accessing police services.

Payslip requirements

Employers **must not** include information on an employee's payslip that relates to paid family and domestic violence leave. This measure is intended to reduce the risk to an employee's safety when accessing this type of leave.

However, employers must still keep internal records of this leave as part of their general record-keeping obligations.

Further information is available on the Fair Work Ombudsman's [Payslips page](#).

Notice and evidence for family and domestic violence leave

If an employee takes family and domestic violence leave, they have to let their employer know as soon as possible. Sometimes this will be after the leave has started.

Employees need to tell their employer how long they expect the leave to last.

An employer can ask their employee for evidence that shows the employee took the leave to deal with family and domestic violence. If the employee doesn't provide the requested evidence, they may not get paid the leave.

The evidence, if required by an employer, should show an employee needed to take and this may include documentation provided by a range of health or social service providers.

First responders including social workers, family counsellors or domestic violence support services can also play a role in providing evidence.

Types of evidence can include:

- a statutory declaration
- documents issued by the police service
- documents issued by a court, or
- family violence support service documents — including a letter or report from health professionals or legal advocates.

10 Days' Paid Family and Domestic Violence Leave

10 days paid family and domestic violence leave is available to all employees each year.

This includes full-time, part-time and casual employees.



First responders — such as health professionals, legal advocates, and community support workers — play a vital role in helping employees understand and access paid FDV leave. You can support clients by informing them of their rights and encouraging safe disclosure in the workplace.

Understanding Paid Family and Domestic Violence Leave

Family and domestic violence means violent, threatening or other abusive behaviour by certain individuals known to an employee that both:

- seeks to coerce or control the employee
- causes them harm or fear.

Payment for leave

Full-time and part-time employees are paid their full pay rate for the hours they would have worked if they weren't on leave. Casual employees are paid their full pay rate for the hours they were rostered to work.

The 'full rate of pay' includes entitlements such as penalty rates and allowances, as outlined by the [Fair Work Ombudsman](https://www.fairwork.gov.au/fdvleave) website).

- **W**



When is an employee eligible to take the leave?

Paid family and domestic violence leave is available to an employee, experiencing family and domestic violence by:

- an employee's close relative
- a member of an employee's household, or
- a current or former intimate partner of an employee.

A close relative is:

- an employee's:



spouse or former spouse



de facto partner or former de facto partner



child



parent



grandparent



grandchild



sibling



a person related to the employee according to Aboriginal or Torres Strait Islander kinship rules.

Other employment supports

An employee's enterprise agreement, employment contract or workplace policies may

provide additional entitlements or conditions for dealing with family and domestic violence.

The Fair Work Act prohibits employers from taking adverse action against employees because they have experienced, or are experiencing, family and domestic violence.

If you're supporting someone experiencing FDV, encourage them to speak with their employer or union representative, and refer them to www.fairwork.gov.au for guidance on family and domestic violence leave entitlements.

The Fair Work Ombudsman provides more detailed guidance on this protection, paid family and domestic violence leave, including how to apply, what evidence may be required, and confidentiality obligations for employers.

Visit:

[fairwork.gov.au/fdvleave](https://www.fairwork.gov.au/fdvleave)

www.smallbusiness.10dayspaidfdvleave.com.au

Resources

Scan the QR code to explore your rights to paid family and domestic violence leave and how to access support.

