

Bereavement and compassionate leave

Policy Number: C11 (QH-POL-107)

Publication date: November 2020

Purpose: To outline employee entitlements for bereavement and compassionate leave.

Application: This policy applies to all Queensland Health employees.

This policy does not apply to Queensland Ambulance Service employees. Instead, Queensland Ambulance Service employees are to refer to their local policy/procedure.

Delegation: The 'delegate' is as listed in the relevant Department of Health Human Resource (HR) Delegations Manual, or Hospital and Health Services Human Resource (HR) Delegations Manual, as amended from time to time.

Legislative or other authority:

- *Human Rights Act 2019*
- *Industrial Relations Act 2016*
- *Public Service Act 2008*
- PSC (IR) Directive 05/17 - Special Leave (Bereavement leave and compassionate leave provisions listed in schedule one – non-discretionary special leave only for health service employees)

Related policy or documents:

- Parental leave HR Policy C26 (QH-POL-187)

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1 Policy statement

The bereavement and compassionate leave provisions of the PSC (IR) Directive relating to Special leave are administratively applied to health service employees.

2 Bereavement leave

A full-time employee is entitled to two days bereavement leave on full pay on the death of a member of the employee's immediate family or household; or the employee, or the employee's spouse, is pregnant and the pregnancy ends other than by the birth of a living child. Refer section 4 of the policy for further information.

2.1 Part-time employees

Bereavement leave entitlements for part-time employees are the same as those for full-time employees i.e. leave is on a working day basis and not pro rata for part-time employees. A part-time employee must be rostered on the day the leave is applied for i.e. an employee cannot apply for leave on a day they are not rostered to work.

2.2 Casual employees

Casual employees are entitled to unpaid bereavement leave.

Managers must not fail to re-engage a casual employee only because they have taken bereavement leave.

2.3 Employee on approved leave

An employee currently on approved leave may access bereavement leave by seeking approval to terminate or cancel the existing approved leave and applying for bereavement leave.

2.4 Satisfactory proof

The employee is to furnish evidence of the death or funeral arrangements that is satisfactory to the authorised delegate e.g. death notice, funeral notice.

3 Compassionate leave

A full-time employee is entitled to two days compassionate leave on full pay on each occasion when a member of the employee's immediate family or household:

- (i) contracts or develops a personal illness that poses a serious threat to the person's life; or
- (ii) sustains a personal injury that poses a serious threat to the person's life.

Refer section 4 of the policy for further information.

3.1 Part-time employees

Compassionate leave entitlements for part-time employees are the same as those for full-time employees i.e. leave is on a working day basis. A part-time employee must be rostered on the day the leave is applied for i.e. an employee cannot apply for leave on a day they are not rostered to work.

3.2 Casual employees

Casual employees are entitled to unpaid compassionate leave.

Managers must not fail to re-engage a casual employee only because they have taken compassionate leave.

3.3 Employee on approved leave

An employee currently on approved leave may access compassionate leave by seeking approval to terminate or cancel the existing approved leave and applying for compassionate leave.

3.4 Satisfactory proof

The employee must give the employer sufficient evidence to satisfy a reasonable person that the employee was taking compassionate leave because a member of the employee's family or household's life was threatened by personal illness or personal injury.

4 Entitlements

BEREAVEMENT LEAVE	
CATEGORY	ENTITLEMENT
<p>An employee is entitled to bereavement leave on full pay on the death of a member of the employee's immediate family or household or</p> <p>The employee, or the employee's spouse, is pregnant and the pregnancy ends other than by the birth of a living child.</p> <p>The leave is to be granted for a death occurring either within Australia or overseas.</p>	<p>In relation to each deceased person – two days bereavement leave on full pay.</p>
<p>A casual employee is entitled to bereavement leave on the death of a member of the employee's immediate family or household or</p> <p>The employee, or the employee's spouse, is pregnant and the pregnancy ends other than by the birth of a living child.</p> <p>The leave is to be granted for a death occurring either within Australia or overseas.</p>	<p>In relation to each deceased person – two days unpaid bereavement leave.</p>
<p>An employee (including a casual) may be granted additional bereavement leave without pay.</p>	<p>As determined by the delegate.</p>
<p>If an employee (including a casual) reasonably requires extra time to travel to and from the funeral or other ceremony for the death.</p>	<p>An amount of unpaid bereavement leave equal to the time reasonably required for the travel.</p>

COMPASSIONATE LEAVE	
CATEGORY	ENTITLEMENT
An employee (other than a casual employee) is entitled to compassionate leave on full pay on each occasion when a member of the employee's immediate family or household: <ul style="list-style-type: none"> (i) contracts or develops a personal illness that poses a serious threat to the person's life; or (ii) sustains a personal injury that poses a serious threat to the person's life. 	Two days compassionate leave on full pay per occasion.
A casual employee is entitled to unpaid compassionate leave on each occasion when a member of the employee's immediate family or household: <ul style="list-style-type: none"> (i) contracts or develops a personal illness that poses a serious threat to the person's life; or (ii) sustains a personal injury that poses a serious threat to the person's life. 	Two days unpaid compassionate leave per occasion.

Definitions:

Daily hours	<ul style="list-style-type: none"> • The number of ordinary daily working hours of an employee as specified in an industrial instrument or • In any other case – the number of hours specified in the relevant industrial instrument as the average number of hours per working day of an employee during a pay period or other period reasonable in the circumstances.
Immediate family	<p>For the purposes of this policy includes:</p> <ul style="list-style-type: none"> • the employee's spouse; or • a child, ex-nuptial child, step-child, adopted child, ex-foster child of the employee or employees' spouse; or • parent, grandparent, grandchild, sister or brother of the employee and of the employee's spouse (such as the employee's mother-in-law, father-in-law, grandparent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law); or • step-father, step-mother, step-brother, step-sister, half-brother and half-sister of the employee. • The list of family members provided for in this definition is not exhaustive, and requests for leave should not be unreasonably refused. <p>For the purposes of bereavement leave:</p> <ul style="list-style-type: none"> • Bereavement leave will also be approved in circumstances where the deceased is a person that occupied the same prominence in the employee's life as a family member. The employer will recognise employees' cultural or other significant personal circumstances such as recognising kinship for Aboriginal and Torres Strait Islander employees.

Full pay	<ul style="list-style-type: none"> The employee's ordinary rate of pay and is inclusive of any fixed allowances that are part of the regular fortnightly pay, excluding shift penalties and consolidated shift allowance payments.
Spouse	<ul style="list-style-type: none"> Includes – <ul style="list-style-type: none"> a former spouse de facto spouse, including a spouse of the same sex as the employee.

History:

November 2020	<ul style="list-style-type: none"> Policy: <ul style="list-style-type: none"> formatted as part of the HR Policy review amended to update references and naming conventions title amended from 'Bereavement leave' to 'Bereavement and compassionate leave' amended to incorporate compassionate leave provisions of the <i>Industrial Relations Act 2016</i> application excludes employees of Queensland Ambulance Service.
June 2020	<ul style="list-style-type: none"> Policy application amended as a result of changes to the Hospital and Health Boards (Changes to Prescribed Services) Amendment Regulation 2019.
June 2014	<ul style="list-style-type: none"> Policy formatted as part of the HR Policy Simplification project. Attachment One removed due to duplication in the policy.
September 2010	<ul style="list-style-type: none"> Amended to reflect Directive 12/10 Bereavement Leave effective 23 August 2010.
May 2009	<ul style="list-style-type: none"> Amended attachment one to remove clause 1.3.
July 2008	<ul style="list-style-type: none"> Amended to reflect Public Service Act 2008.
Previous	<ul style="list-style-type: none"> IRM 11.7-1 Leave – Family Responsibilities – Bereavement