

ACTUS WORKPLACE LAWYERS

26 January 2023

How can the new paid family and domestic violence leave entitlements be dealt with on pay slips?

Operative from 1 February, the National Employment Standards in the *Fair Work Act* will be varied to give employees an entitlement to 10 days of paid family and domestic violence leave. A delayed operative date of 1 August applies for 'small employers'.

In conjunction with the amendments to the Act, [Regulations](#) have been made prohibiting an employer from recording paid family and domestic violence leave on an employee's pay slip.

The Regulations provide guidance on how pay slips can lawfully deal with this issue through a useful Note in new Regulation 3.47. The Note clarifies that an employer can record paid family and domestic violence leave on a pay slip as, for example, 'special leave', 'miscellaneous leave' or 'leave—other'.

For assistance with employment contract provisions, workplace policies and enterprise agreement provisions relating to paid family and domestic violence leave, please contact **Stephen Smith**, Principal of Actus Workplace Lawyers on 0418 461 183 or Email: stephen.smith@actuslawyers.com.au