

Fair Work | Fact Sheet

Casual entitlements

	Entitlement	Casual entitled	Notes
1	Casual loading	✓	
2	Long Service Leave	✓	Entitlement is per applicable award, enterprise agreement or relevant state legislation.
3	Parental leave after 12 months service other than unpaid pre-adoption leave	✓	Only if the employee is, or will be, a long term casual employee of the employer immediately before the date the leave is applied for (i.e. has worked casually for the employer for a period of at least 12 months) and, but for the expected birth or placement of a child, the employee would have a reasonable expectation of continuing employment by the employer on a regular and systematic basis (other conditions apply with respect to s71 and s72 of the FW Act).
4	Unpaid personal leave	✓	
5	Unpaid compassionate leave	✓	
6	Unpaid community service leave	✓	
7	Unpaid jury duty leave	✓	
8	Make an unfair dismissal claim after 6 or 12 months depending on the size of the employer	✓	Only if the employee was employed on a regular and systematic basis and during the period of service the employee had a reasonable expectation of continuing employment with the employer on a regular and systematic basis.
9	Request flexible working arrangements	✓	Only if the employee is a long term casual employee of the employer immediately before making the request (i.e. has worked casually for the employer for a period of at least 12 months) and has a reasonable expectation of continuing employment by the employer on a regular and systematic basis.
10	Paid annual leave	✗	



Table regarding casual entitlements

	Entitlement	Casual entitled	Notes
11	Paid personal leave	x	
12	Paid compassionate leave	x	
13	Paid (topped up) jury service leave	x	
14	Notice of termination	x	Unless notice is provided in an award applicable to the employee. But please see our comments below in relation to providing a period of notice and obtaining a release to minimise liability.
15	Redundancy pay	x	

Note: If a modern award or enterprise agreement applies to an employee, these instruments may supplement the NES (e.g. some instruments may include redundancy entitlements for long term casuals)



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