

LEAVE ACCRUALS ON WORKERS COMPENSATION

State	Annual Leave	Personal Leave	Long Service Leave
ACT	<p>From 9 June 2023 The Workplace Legislation Amendment Act 2022 (ACT) changed the operation of the workers compensation laws in the ACT. This means that from 9 June 2023, annual leave will accumulate during workers compensation if the employee would have otherwise been entitled to the accumulation had they not been on workers compensation.</p> <p>Before 9 June 2023 No. Annual leave didn't accumulate during workers compensation.</p>	No	<p>From 9 June 2023 The Workplace Legislation Amendment Act 2022 (ACT) changed the operation of the workers compensation laws in the ACT. This means that from 9 June 2023, LSL will accumulate during workers compensation if the employee would have otherwise been entitled to the accumulation had they not been on workers compensation.</p> <p>Before 9 June 2023 15 days per year. LSL didn't accumulate during workers compensation.</p>
NSW	Yes	No	Yes
NT	No	No	No
QLD	Yes	Yes	Accrues on periods of workers compensation if the employee is receiving workers compensation payments. If the period of workers compensation is unpaid, LSL does not accrue
SA	<p>Usually, annual leave accumulates during workers compensation.</p> <p>The rules are different for employees if they're totally incapacitated on workers compensation for 52 weeks or more.</p> <p>Annual leave for these employees is treated as having been taken and paid for by the workers compensation payments. However, employees that get annual leave loading under an award or agreement, still get paid the loading for the period of annual leave that is treated as having been taken and already paid.</p>	Yes	Yes

TAS	Yes	No	Yes
VIC	Yes	No	Yes
WA	Yes	<p>From 1 July 2024 The Workers Compensation and Injury Management Act 2023 (WA) provides that sick leave can accumulate while an employee is receiving workers compensation. This means that from 1 July 2024, sick leave will accrue during workers compensation if the employee would otherwise have been entitled to the accrual had they not been on workers compensation.</p> <p>Before 1 July 2024 No. Sick leave didn't accumulate during workers compensation prior to 1 July 2024.</p>	<p>From 1 July 2024 The Workers Compensation and Injury Management Act 2023 (WA) provides that sick leave can accumulate while an employee is receiving workers compensation. This means that from 1 July 2024, LSL will accrue during workers compensation if the employee would otherwise have been entitled to the accrual had they not been on workers compensation.</p> <p>Before 9 June 2023 If they became entitled to LSL before 20 June 2022, 15 days will count per year. If they became entitled to LSL from 20 June 2022, LSL will accrue.</p>