# AGREEMENT TO CASH OUT ANNUAL LEAVE

***IMPORTANT - Remove information in red before providing to employee:***

***Employees covered by a modern award or enterprise agreement:***

[*Paid annual leave*](http://www6.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s12.html#paid_annual_leave)*may only be cashed out in accordance with**the cashing out terms included in the applicable*[*modern award*](http://www6.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s12.html#modern_award)*or*[*enterprise agreement*](http://www6.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s12.html#enterprise_agreement)*.*

***Employees who are not covered by an award or agreement:***

*The*[*employer*](http://www6.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s12.html#employer)*and the*[*employee*](http://www6.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s12.html#employee)*must not agree to the*[*employee*](http://www6.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s12.html#employee)*cashing out an amount of*[*paid annual leave*](http://www6.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s12.html#paid_annual_leave)*if the agreement would result in the*[*employee*](http://www6.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s12.html#employee)*'s remaining accrued entitlement to*[*paid annual leave*](http://www6.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/fwa2009114/s12.html#paid_annual_leave)*being less than 4 weeks.*

Name of employee: ………………………………………………….

Name of employer: ………………………………………………….

The employer and employee agree:

The amount of leave to be cashed out is: ………………hours/days

The payment to be made to the employee for the leave is: $ …………. subject to taxation.

The payment will be made to the employee on: …../…../20…..

Signature of employee: ………………………………………………….

Date signed: …../…../20…..

Name of employer representative: ………………………………………………….

Signature of employer representative: ………………………………………………….

Date signed: …../…../20…..

*[Include if the employee is under 18 years of age:]*

Name of parent/guardian: ………………………………………………….

Signature of parent/guardian: ………………………………………………….

Date signed: …../…../20…..