

## 37. BEREAVEMENT LEAVE

37.1 The provisions contained in this clause replace those contained in clause 32 – Bereavement Leave of the Applicable Award.

The bereavement clause replaces the provisions in the Applicable Award.

37.2 Employees shall, on the death of:

- (a) the spouse or de-facto partner of the Employee;
- (b) a former spouse or former de-facto partner of the Employee;
- (c) a child, step-child, foster child or grandchild of the Employee (including an adult child, step-child or grandchild);
- (d) a parent, step-parent, foster parent or grandparent of the Employee;
- (e) a parent in law or former parent in law of the Employee;
- (f) a brother, sister, step brother or step sister of the Employee; or
- (g) any other person who, immediately before that person's death, lived with the Employee as a member of the Employee's household;

be eligible for up to three days' paid bereavement leave.

The following additional relationships have been included: former spouse, former de-facto partner, foster child, foster parent, parent in law and former parent in law.

Bereavement leave has increased from two days to three days per occasion.

37.3 The Employer will not unreasonably withhold approval to grant bereavement leave to an Employee in respect of some other person with whom the Employee had a special relationship, on the request of the Employee.

37.4 The three days need not be consecutive.

37.5 Bereavement leave is not to be taken during any other period of leave, including periods of unpaid leave.

37.6 Payment of such leave may be subject to the Employee providing evidence, if so requested by the employer, of the death or relationship to the deceased that would satisfy a reasonable person.

37.7 An Employee requiring more than three days' bereavement leave in order to travel interstate or overseas in the event of a death of a person referred to in clause 37.2 or 37.3, may, upon providing adequate proof, in addition to any bereavement leave to which the

Employee is eligible, have immediate access to annual leave and/or accrued long service leave or leave without pay provided all accrued leave is exhausted.

### 37.8 Travelling time for Regional Employees

- (a) Subject to prior approval from the Employer, an Employee entitled to bereavement leave and who, as a result of such bereavement, travels to a location within Western Australia that is more than 240 km from their workplace will be granted paid time off for the travel period undertaken in the Employee's ordinary working hours up to a maximum of 15 hours per bereavement. The Employer will not unreasonably withhold approval.
- (b) The Employer may approve additional paid travel time within Western Australia where the Employee can demonstrate to the satisfaction of the Employer that more than two days travel time is warranted.
- (c) The provisions of clauses 37.8 (a) and (b) apply as follows.
  - (i) An Employee employed on a fixed term contract for a period greater than 12 months, shall be credited with the same entitlement as a permanent Employee for each full year of service and pro rata for any residual portion of employment.
  - (ii) An Employee employed on a fixed term contract for a period less than 12 months shall be credited with the same entitlement on a pro rata basis for the period of employment.
  - (iii) A part time Employee shall be entitled to the same entitlement as a full time employee for the period of employment, but on a pro rata basis according to the number of ordinary hours worked each fortnight.
  - (iv) For casual Employees, the provisions apply to the extent of their agreed working arrangement