

Agreement to take annual leave in advance

Who can use this template?

You can use this letter to provide an employee with a written agreement to take annual leave in advance.

When and how can I use this template letter?

Some awards or registered agreements allow an employee to take annual leave in advance if their employer agrees in writing.

If the award or registered agreement says that employees can take annual leave in advance, employers and employees can use this template to make an agreement about the annual leave in advance.

[Find your award](https://www.fairwork.gov.au/awards) at [fairwork.gov.au/awards](https://www.fairwork.gov.au/awards)

Find enterprise agreements and other registered agreements on the [Fair Work Commission's website](https://www.fairwork.gov.au/agreements) at [fwc.gov.au/agreements](https://www.fwc.gov.au/agreements)

The agreement must:

- be signed by both the employee and employer
- say how much annual leave is being taken in advance
- say the day that the leave will start.

Employers must keep a copy of the agreement with their employee's records.

If an employee takes leave in advance and their employment ends before they've accrued it all back, their employer can deduct the amount still owing from the employee's final pay.

! IMPORTANT

Make sure you're using the latest version of this template letter by [downloading the most up-to-date version](https://www.fairwork.gov.au/templates) from [fairwork.gov.au/templates](https://www.fairwork.gov.au/templates)

This template letter has been colour coded to assist you to complete it accurately. You simply need to replace the **red < > writing** with what applies to your employee and situation.

Explanatory information is shown in **purple writing** to assist you and **should be deleted once you have finished the letter.**

The Fair Work Ombudsman is committed to providing you with advice that you can rely on.

The information contained in this template is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or a workplace relations professional.

TEMPLATE AGREEMENT – Agreement to take annual leave in advance

<Print on your business letterhead>

<Date>

Private and confidential

<Insert employee's full name>

<Insert employee's residential address>

Agreement to take annual leave in advance

Name of employee:

Name of employer:

The employer and employee agree that the employee will take a period of paid annual leave before the employee has accrued an entitlement to the leave:

The amount of leave to be taken in advance is: ___ hours/days

The leave in advance will commence on: ___/___/20__

I agree that:

if, on termination of the employee's employment, the employee has not accrued an entitlement to all of a period of paid annual leave already taken under this agreement, then the employer may deduct from any money due to the employee on termination an amount equal to the amount that was paid to the employee in respect of any part of the period of annual leave taken in advance to which an entitlement has not been accrued.

Signature of employee:

Date signed: ___/___/20__

Name of employer representative:

Signature of employer representative:

Date signed: ___/___/20__

[Explanatory information – please delete once you have finished the letter]

If the employee is under 18 years of age – include:

Name of parent/guardian:

Signature of parent/guardian:

Date signed: ___/___/20__

PLEASE KEEP A COPY OF THIS LETTER FOR YOUR RECORDS

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