

7. Your rights at work

This fact sheet is about the rights family and friend carers have when they are working in a paid job. Carers who work full time, part time or on a casual basis have the same rights as other employees and some rights specific to carers.

Knowing your rights is important, because it helps you understand what you can and can't expect when you access services with or on behalf of the person you care for. When you know your rights, you are in a better position to stand up for yourself or the person you care for when a problem arises. This fact sheet focuses on rights that can be upheld through formal complaints processes.

Working carers are entitled to carers leave and have the right to request flexible working arrangements. Carers can also expect not to be discriminated against in the workplace because of their caring role.



Taking time off to care

When working in a full time, part time or casual job, everyone has the right to access carers leave. The *Fair Work Act 2009* states that all employees under a full or part time contract are entitled to take [paid and unpaid carer's leave](#). Casual employees are entitled to unpaid carer's leave. Employees and their employer can also develop a registered agreement and can set out different or additional entitlements to their carer's leave.

For more information on your leave entitlements, or if you have been denied carer's leave or have been treated unfairly, contact the [Fair Work Ombudsman](#) on 13 13 94 or visit <https://www.fairwork.gov.au/leave/sick-and-carers-leave>

Flexible working arrangements

When working in a full time or part time job, carers, have the right to request [flexible working arrangements](#), for example working from home or varied hours. Some casual employees also have this right.

Making a request for flexible work may not always be accepted, as your employer the right to deny the request on 'reasonable business grounds'. If you feel you have been unfairly denied a flexible work arrangement you can contact the [Fair Work Ombudsman](#) on 13 13 94 or visit: <https://www.fairwork.gov.au/employee-entitlements/flexibility-in-the-workplace>

Help with making a complaint

Carers NSW recognises that not all carers will be in the position to speak to their employer about leave or flexible work or make a formal complaint without support. If you need support negotiating with your employer or making a complaint you can contact the [Fair Work Ombudsman](#) on 13 13 94 or visit <https://www.fairwork.gov.au/employee-entitlements/flexibility-in-the-workplace>, where a range of templates are also available to help employees utilise their workplace entitlements.

KNOW YOUR RIGHTS

Information for family and friend carers



Freda has recently started caring for her father after he had a fall in his home. As part of her father's recovery, Freda is required to drive him to regular doctor and physiotherapy appointments. Freda approached her employer to request a flexible working arrangement so she could leave early and care for her father, but was denied without a reasonable explanation.

Freda contacted the Fair Work Ombudsman to find information about her rights. She used the online resources to try and negotiate with her employer and was successfully granted an Individual Flexibility Arrangement.



Discrimination at work

It is against the law for carers to be treated unfairly because of their [responsibilities as a carer](#) in employment, including when you apply for a job or ending your employment.

If you have been discriminated against in the workplace, you can contact [Anti-Discrimination NSW](#) on 1800 670 812 or the [Australian Human Rights Commission](#) on 1300 656 419.

Both agencies provide free information about discrimination and can investigate complaints about discrimination in the workplace and try to help you resolve any issues raised with your employer.

All of the agencies listed on this fact sheet also provide support through the Translation and Interpreting Service and National Relay Service.



This fact sheet was developed by the Carer Rights & Complaints Network (CRCN), a joint initiative of Carers NSW and the NSW Government. For more information, please contact the Carers NSW Policy Team on 02 9280 4744 or policy@carersnsw.org.au.