

BULLETIN

Industrial Relations Department



Reference No: Christmas Closure & Trading Arrangements

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VACC Christmas closure and Trading Arrangements

This year, VACC will close during the Christmas/New Year period from Monday, 23 December 2019 until 3 January 2020. This is traditionally a quiet time as many members have their annual close-down at this time.

To assist the department, it would be helpful if members submitted any requests for annual and long service leave calculations prior to 24 December 2019.

Annual Holiday Close-down 2019/2020

Members are reminded of their obligations under the Award where they intend to close or shut down all, or a section of their business over the Christmas/New Year period.

The Vehicle Manufacturing, Repair, Services and Retail Award 2010 requires employers to ensure that all employees affected by a close-down decision receive **not less than four weeks' notice** of the intention to close the business, as well as the duration of the closure.

The following public holidays apply to the **Christmas/New Year** period under the Vehicle Manufacturing, Repair, Services and Retail Award 2010 and Clerks - Private Sector Award 2010.

In Victoria

Public Holidays	SERVICE STATIONS, ROADHOUSES, TOWING AND ROADSIDE REPAIRS, AND CAR RENTAL ESTABLISHMENTS	WORKSHOPS, WRECKERS, CAR WASHING ESTABLISHMENTS, MOTOR CAR PARTS AND ACCESSORIES	NEW AND USED CAR SHOW ROOMS & YARDS AND MOTORCYCLE ESTABLISHMENTS
Wednesday, 25/12/2019 CHRISTMAS DAY	May trade	No trading if more than 20 employees AND at any time during the period of 7 days immediately before that time, the number of persons employed by the business and its related entities is no more than 100 (a full-time equivalent basis)	No trading if more than 20 employees AND at any time during the period of 7 days immediately before that time, the number of persons employed by the business and its related entities is no more than 100 * (a full-time equivalent basis)
Thursday, 26/12/2019 Boxing Day	May trade	May trade	May trade
Wednesday, 1/1/2020	May trade	May trade	May trade

New Year's Day			
Monday, 27/1/2020 AUSTRALIA DAY (in lieu of Sunday, 26/1/2020)	May trade	May trade	May trade

* For the purposes of calculating the 100, employees employed in branches or in associated businesses count.

In Tasmania

	IF THE NUMBER OF PERSONS EMPLOYED IN THAT BUSINESS OR THOSE BUSINESSES IN TASMANIA EXCEEDS 250 PERSONS	ALL OTHER BUSINESSES
Wednesday 25/12/2019 CHRISTMAS DAY	Must not be open at any time	May trade
Thursday, 26/12/2019 Boxing Day	May trade	May trade
Wednesday, 1/1/2020 New Year's Day	May trade	May trade
Monday, 27/1/2020 AUSTRALIA DAY (in lieu of Sunday 26/1/2020)	May trade	May trade

Penalty rates of pay apply to employees required to work on the above public holidays as follows:

- All employees except console operators, driveway and roadhouse attendants and casuals employed in any classification: **Double time and a half**
- Console operators, driveway and roadhouse attendants employed on a full time or part time basis (i.e. weekly hired): **Double time**
- Casual console operators, driveway, and roadhouse attendants:
Flat rate applicable to Saturday, Sunday and public holidays is payable
- Vehicle Salespeople: **By mutual agreement a day off in lieu, otherwise double time and a half rates will apply+**
- Other casuals (working in any class of work): **175 per cent loading**

Double time means 'single time' extra for the hours actually worked in addition to the ordinary days wages payable on the day the public holiday falls.

Double time and a half means 'time and a half' extra for the hours worked in addition to the ordinary day's wages payable on the day the public holiday falls.

+Double time and a half for salespersons means:

- If more than half a day is worked, half of the salesperson's weekly rate of pay calculated as follows:

Weekly wage rate is \$862.50, they get an additional \$258.75 (which is \$862.50 divided by 5 = \$172.50 x 1.5)

- If half a day or less is worked, one quarter of the salesperson's weekly rate of pay calculated as follows:

Weekly wage rate is \$862.50 they get an additional \$129.38 (which is half of \$258.75).