

## **AUSTRALIA DAY – MONDAY, 27 January 2020 – Day in lieu of 26 January 2020**

Australia Day is a public holiday on 26 January and is Australia's national day. However, if 26 January falls on a weekend then a public holiday will be observed on the following Monday. There are no restrictions on trading on this public holiday.

This year Australia Day falls on **Sunday, 26 January in 2020** and a **day in lieu** of the public holiday has been gazetted for **Monday, 27 January 2020** nationally.

### **HOW IS AN EMPLOYEE PAID FOR WORKING ON THESE DAYS?**

#### **1. What if my employee works on the Sunday?**

An employee is paid normal Sunday penalties for working on Sunday if they are scheduled to work.

##### **a. If an employee is covered by the VMRSR Award**

- If the Sunday work is part of the employee's 38 ordinary hours of work - double time rates apply.
- If the Sunday work is in excess of 38 ordinary hours of work and therefore overtime – double time rates also apply.

##### **b. If an employee is covered by the Clerks Private Sector Award**

- If the Sunday work is overtime – double time rates apply.

#### **2. What if my employee only works on the substitute day, Monday, 27 January, not on the Sunday?**

An employee would be entitled to public holiday penalty rates for working on the Monday which is double time and a half.

#### **3. What if my employee works on both the Sunday and the Monday?**

The employee would be entitled to be paid their normal rate of pay, [refer 1 a. and b. above] for working on the Sunday and the Public Holiday penalty rate for working on the Monday.

## PUBLIC HOLIDAY PENALTY RATES

Where an employee works on the public holiday, that is **Monday, 27 January 2020** they are entitled to be paid the penalty rates below.

### Vehicle Manufacturing, Repair, Services and Retail Award 2010 & Clerks Private Sector Award 2010:

Penalty rates for working on a Public Holiday are as follows:

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

#### + 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).*

An employee required to work overtime on a public holiday is entitled to not less than four hours pay at penalty rates provided the employee is available to work for four hours.



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