

Australia Day Public Holiday

This year, the Australia Day public holiday is on Friday, 26 January 2024.

Members are reminded that under both the *Vehicle Repair, Services and Retail Award 2020* (VRSR Award) and the *Clerks – Private Sector Award 2020* (Clerks Award), an employer and employee may mutually agree to substitute another day for the public holiday.

Where agreement to substitute is reached, work performed on 26 January 2024 becomes a normal working day and is paid accordingly. VACC advises members to ensure that the details of any agreed substitution are retained in writing.

Penalty rates of pay for work performed on Public Holidays (where a substitute day has not been agreed between the employer and employee) are as follows:

VRSR Award:

All full time and part time employees except console operators, driveway and roadhouse attendants and vehicle salespersons	250 per cent of the minimum hourly rate
All casual employees, except console operators, driveway, roadhouse attendants and vehicle salespersons	275 per cent of the minimum hourly rate
Full time and part time console operators, driveway and roadhouse attendants	200 per cent of the minimum hourly rate
Casual console operators, driveway, and roadhouse attendants:	Flat rate applicable to Saturday, Sunday and public holidays is payable
Vehicle Salespeople – full time and part time	Double time and a half *
Casual Vehicle Salespeople	275 per cent of the minimum hourly rate of pay

***Double time and a half for full time and part time salespersons** means:

- If more than half a day is worked, half of the salesperson's minimum weekly rate of pay prescribed under the Award - e.g., \$995.00 divided by two, which equates to **\$497.50 for the public holiday worked**.
- If half a day or less is worked, one quarter of the salesperson's minimum weekly rate of pay prescribed under the Award - e.g., \$995.00 divided by four, which equates to **\$248.75 for the public holiday worked** (rounded to the nearest cent).

The relevant amount provided above is in addition to the appropriate minimum hourly rate paid to employees for hours worked during the remainder of the week. For example, a vehicle salesperson employed on a 38-hour week at a minimum hourly rate of \$26.18 per hour (i.e., \$995.00 per week), would be entitled to 30.4 hours @ \$26.18 (i.e., \$796.00) plus either \$497.50 or \$248.75, depending on the number of hours worked on the public holiday (i.e., more than half a day or less than half a day is worked).

Clerks Award

Employees (other than shift workers) are entitled to 250 percent of the minimum hourly rate for ordinary hours worked on a public holiday, with a minimum payment of 4 hours' pay.

Members seeking further information are encouraged to contact the Workplace Relations team on 03 9829 1123 or ir@vacc.com.au

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Industrial Relations | OHSE