

BULLETIN

Industrial Relations



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VACC Christmas Closure and Trading Arrangements

This year, VACC will close during the Christmas/New Year period from Thursday, 23 December 2020 and Monday, 4 January 2021 inclusive. 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 23 December 2020.

Trading Arrangements

The following public holidays apply to the **Christmas/New Year** period under the Vehicle Repair, Services and Retail Award 2020 and Clerks – Private Sector Award 2020.

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
Friday, 25/12/2020 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).
Saturday, 26/12/2020 Boxing Day	May trade	May trade	May trade
Monday, 28/12/2020 Additional public holiday	May trade	May trade	May trade
Friday, 1/1/2021 New Year's Day	May trade	May trade	May trade

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

In Tasmania

Public Holidays	IF THE NUMBER OF PERSONS EMPLOYED IN THAT BUSINESS OR THOSE BUSINESSES IN TASMANIA EXCEEDS 250 PERSONS	ALL OTHER BUSINESSES
Friday, 25/12/2020 CHRISTMAS DAY	Must not be open at any time	May trade
Monday, 28/12/2020 Boxing Day (substitute day)	May trade	May trade
Friday, 1/1/2021 New Year's Day	May trade	May trade

Penalty rates of pay for work performed on Public Holidays (including the additional public holiday) under the Vehicle Repair, Services and Retail Award 2020 apply unless the employer and employees have agreed to substitute another day for the public holiday. The penalty rates are as follows:

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 employed on a full-time basis (i.e. weekly hired):	200 per cent of the minimum hourly rate
Casual console operators, driveway, and roadhouse attendants:	Flat rate applicable to Saturday, Sunday and public holiday
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. \$862.50 divided by two, which equates to **\$431.25 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. \$862.50 divided by four, which equates to **\$215.63 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 \$22.70 per hour (i.e. \$862.50 per week), would be entitled to 30.4 hours @ \$22.70 (i.e. \$690.08) **plus** either \$431.25 or \$215.63, 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 – Private Sector Award 2020

Employees covered by the Clerks Award will also be entitled to double time and a half rates for working on the public holidays.

Daniel Hodges

Executive Manager – Workplace Relations

Industrial Relations OHSE Department

VACC

Level 7 | 464 St Kilda Road | Melbourne Vic 3004

P: 03 9829 1123 | **M:** 0429 644 820 | **E:** dhodges@vacc.com.au