

Upcoming Victorian Public Holidays

AFL Grand Final - Friday, 23 October 2020

Melbourne Cup - Tuesday, 3 November 2020

With the **AFL Grand Final** public holiday to be held across Victoria this year on **Friday, 23 October 2020**, 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.

For example, an employer may wish to substitute the AFL Grand Final Public Holiday for another day mutually agreeable to the employee, such as Monday 2 November or Thursday 24 December. In such a case, work performed on 23 October 2020 would be a normal working day paid at ordinary rates.

The issue of substitution is particularly relevant this year, with the AFL public holiday so close to the **Melbourne Cup** public holiday on **Tuesday, 3 November 2020**. The Melbourne Cup public holiday also applies throughout Victoria, **unless** an alternate local public holiday has been arranged by a non-metropolitan municipality. For example, in the City of Greater Geelong, the Geelong Cup Day is taken as a public holiday on Wednesday, 21 October 2020 instead of Melbourne Cup Day. Regional or country members who are unsure as to whether an alternate local public holiday applies in their municipality are encouraged to contact VACC’s Workplace Relations team for further information.

Penalty rates of pay for work performed on Public Holidays (or a substituted day) are as follows:

VRSR Award

All full time and part time employees except console operators, driveway and roadhouse attendants and vehicle salespersons	250 percent of the minimum hourly rate, with payment of 4 hours
All casual employees, except console operators, driveway, roadhouse attendants and vehicle salespersons	275 percent of the minimum hourly rate, with payment of 2 hours
Full time and part time console operators, driveway and roadhouse attendants employed on a full-time basis (i.e. weekly hired):	200 percent of the minimum hourly rate, with payment of 3 hours
Casual console operators, driveway, and roadhouse attendants:	Flat rate applicable to Saturday, Sunday and holidays is payable, with a minimum payment
Vehicle Salespeople – full time and part time	Double time and a half*
Casual Vehicle Salespeople	275 percent of the minimum hourly rate of pa minimum payment of 2 hours

* **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 Award

Employees are entitled to 250 percent of the minimum hourly rate for hours worked, with a minimum payment of 4 hours' pay.

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