

Bulletin

Workplace Relations



Reference No. 2023 AFL Grand Final Holiday/dh-09-23

Date: 27/09/2023

Upcoming Victorian Public Holiday – Friday, 29 September 2023

With the **AFL Grand Final** public holiday to be held across Victoria this year on **Friday, 29 September 2023**, members are reminded that this public holiday is **not a restricted trading day under Victorian law**, meaning that all automotive businesses are permitted to open.

Members are also 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 29 September 2023 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 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 percent of the minimum hourly rate, with a minimum payment of 4 hours
All casual employees, except console operators, driveway, roadhouse attendants and vehicle salespersons	275 percent of the minimum hourly rate, with a minimum 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 a minimum payment of 3 hours
Casual console operators, driveway, and roadhouse attendants	Flat rate applicable to Saturday, Sunday and public holidays is payable, with a minimum payment of 2 hours
Vehicle Salespeople – full time and part time	Double time and a half *
Casual Vehicle Salespeople	275 percent of the minimum hourly rate of pay, with a 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., \$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**

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., \$940.90 per week), would be entitled to 30.4 hours @ \$26.18 (i.e., \$795.87) 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 are entitled to double time and a half (250 percent) of the minimum hourly rate for hours worked, with a minimum payment of 4 hours' pay.

Members seeking further information are encouraged to contact the Workplace Relations team on 03 9829 1123.

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Industrial Relations | OHSE